Edward Earle of CLARENDON Lord High CHANCELLOR of England and Chancellor of the University of Oxford Ao. Dñi. 1667.

THE HISTORY OF THE REBELLION and CIVIL WARS IN ENGLAND,

Begun in the Year 1641.

With the precedent Paſſages, and Actions, that contributed thereunto, and the happy End, and Concluſion thereof by the KING's bleſſed RESTORATION, and RETURN, upon the 29th of *May*, in the Year 1660.

Written by the Right Honourable
EDWARD EARL of CLARENDON,
Late Lord High Chancellor of *England*, Privy Counſellor in the Reigns of King CHARLES the Firſt and the Second.

Κτῆμα ἐς ἀεί. *Thucyd.*
Ne quid Falſi dicere audeat, ne quid Veri non audeat. Cicero.

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THE

HISTORY

OF THE

Rebellion and Civil Wars

IN

ENGLAND.

THE
History of the Rebellion, &c.
BOOK IV.

Isai. XVII. 12.

Wo to the Multitude of many People, which make a Noise like the Noise of the Seas; and to the Rushing of Nations, that make a Rushing like the Rushing of many Waters.

WHEN the King came to *York*, which was about the middle of *August*, he found no part of either Army disbanded; for, though Orders had been issued to that purpose, yet the Money, without which it could not be done, was not yet come to hand; and because so great a Sum could not be presently procured, as would satisfy Both, an Act of Parliament had been pass'd, for the Satisfaction of the Principal Officers of the King's Army, by which they were promised Payment, upon the Publick Faith, in *November* following; till which time they were to respite it, and be contented that the common Soldiers, and Inferior Officers, should be fully Satisfied upon their Disbanding.

The King came to York *in his journey towards* Scotland.

DURING the time of the King's abode at *York*, which was not many days, the Earl of *Holland*, Lord General, made a suit to him for the making a Baron; which, at that time, might have been worth to him ten thousand pounds. Whether the King apprehended the making an unfit man, who might disserve him in the House of Peers; or whether he resolv'd to contain himself from enlarging that number, except upon an extraordinary relation to his Own Service, I know not: but he thought not fit, at that time, to gratify the Earl: by which He took himself to be highly Disobliged (as the Courtiers at that time look'd upon whatsoever was Denied to them, as taken from them) and having receiv'd some In-

formation, from Sr *Jacob Ashley* and Sr *John Coniers*, of some idle passages in the late tempering with the Army to Petition, which had not been before heard of; assoon as the King was gone towards *Scotland* (though his Majesty hath since told me, "That he thought he had left him at parting in very "good humour and devotion to His Service) the Earl wrote a Letter to the Earl of *Essex*, to be communicated in Parliament, "That he found there had been strange attempts made "to Pervert, and Corrupt the Army, but, he doubted not, "he should be able to prevent any mischief: the whole Sense being so mysterious, that it was no hard matter, after it was read in the Houses, to perswade men, that it related to somewhat they had yet never heard; and being dated on the Sixteenth day of *August*, which must be the time that the King was there, or newly gone thence (for he took his Journey from *London* on the Tenth) seem'd to reflect on somewhat his Majesty should have attempted. Hereupon their Old Fears are awaken'd, and New ones infused into the People; every man taking the liberty of making what interpretation he pleased of that which no man understood.

Order of both Houses to Disarm all Papists.

The Papists were the most Popular Common-place, and the Butt against whom all the Arrows were directed; and so, upon this new Fright, an Order was made by Both Houses "For Disarming all the Papists in *England*: upon which, and the like Orders, though seldom any thing was after done, or no matter of moment, yet it serv'd to keep up the Fears and Apprehensions in the People, of Dangers and Designs, and to disincline them from any Reverence or Affection to the Queen, whom they begun every day more implacably to hate, and consequently to disoblige. And, as upon those, and the like light occasions, They grew to a licence of Language, without the least respect of Persons of how Venerable estimation soever; so they departed from all Order or Regularity in Debate; or Rules and Measures in Judging; the chief Rulers amongst them, first designing what They thought Fit to be done, and the Rest concluding any thing Lawful, that They thought, in order to the doing and compassing the same: in which neither Laws nor Customs could be admitted to signify any thing against Their sense.

I Remember, about that time, in the providing Money for the Disbanding the Armies, upon which they were marvellously sollicitous, from the time that the King went towards the North, there arose a Question, "Whither *Wil-* "*mot*, *Ashburnham*, and *Pollard*, should receive their Pay due "to them upon their several Commands, lying under the "Charge of the Plot, for bringing up, and Corrupting the "Army; very many Passionately alledging, "That Such men

"ought

"ought not to receive their Pay, who had Forfeited their "Truſt: Yet there wanted not many who alledg'd, "That "They had the Security of an Act of Parliament for their "Payment, and that in Juſtice it could not be detain'd from "them; that, though they lay under the Diſpleaſure of "the Houſe, they were ſo far from a Judgment yet, that "there was not ſo much as a Charge againſt them, but that "they were at liberty under Bail; and therefore, they could "not be ſaid to have Forfeited any thing that was their own. In this Debate the Houſe ſeem'd equally divided, till One, who well knew what he ſaid, told them "That there could "not be any Reaſonable Pretence for Detaining their due, as "well for the Reaſons that had been given, as, that they were "abſolutely Pardon'd by the late Act of Oblivion, and Pa-"cification, between the two Kingdoms: the which was no ſooner ſaid, than many of Thoſe who were before inclined to the Gentlemen, changed their opinions, and, without ſo much as calling to have the Statute read, declared, "That they "could have no Benefit by that Act of Parliament, becauſe "then, the Same might be as well applied to the Arch-Biſhop "of *Canterbury*. And ſo, without further weighing the Law, or the Reaſon, it was thought ſufficient, not only to exclude them from that Benefit, but to bar them from their Money; leſt they might be thought to be admitted to it for That reaſon, which might prove an advantage to Another, to Whom They had no inclination to be Juſt. And no queſtion, They had been overſeen in the Penning that Statute; the Words, in their true and genuine ſignification and extent, comprehending as well the Arch-Biſhop of *Canterbury*, as Thoſe who at that time had no contempt of the Security they reaped thereby.

SOON after the King went into *Scotland*, there being ſome motion "To Adjourn the Houſes till after *Michaelmas*, which ſeem'd to be generally inclined to, very many of both Houſes being willing to refreſh themſelves, after ſo long abſence from their Homes (the Summer being far ſpent, and the Plague increaſing, of which ſome Members had died; and others were in danger, having been in infected houſes) and conceiving, that there was no more to be done till the return of the King, ſaving only the procuring Money to finiſh the Disbanding; went into the Country: and others, who ſtaid in the Town, were leſs ſollicitous to attend the Publick Service; but betook themſelves to thoſe exerciſes and refreſhments which were pleaſanter to them: inſomuch, as within twenty days after the King's remove, there were not above Twenty Lords, nor much above a Hundred Commoners, in both Houſes. But This was the advantage look'd for;

Thoſe Perſons continuing (eſpecially in the Houſe of Commons) to Whoſe care and managery the Whole Reformation was committed. They now entred upon the conſultation of the higheſt matters, both in Church and State; and made attempts and entries upon thoſe Regalities and Foundations, which have been Since more evident in wider and more notorious Breaches.

FROM the liberty and ſucceſs of adviſing what was fit to be done out of the Kingdom, with reference to the Levies for *France* and *Spain*, They aſſumed the ſame freedom, of conſulting and determining what was Not fit, within the walls of the Church; and finding their numbers to be ſo thin, that they might, by art or accident, prevail with the major part to be of Their mind; and to gratify the more Violent Party of the Reformers (who with great impatience, ſuffer'd themſelves to be contain'd within any bounds or limits, by Thoſe who knew better how to conduct their buſineſs) They entred upon debate of the Book of Common-Prayer (which ſure, at that time, was much reverenced throughout the Kingdom) and propoſed, "In regard (they ſaid) many "things in it gave offence, at leaſt umbrage, to tender Con-"ſciences, That there might be liberty to Diſuſe it: which Propoſition was ſo ungracious, that, though it was made in a thin Houſe, and preſs'd by Thoſe who were of the greateſt Power and Authority, It was ſo far from being conſented to, that, by the major part (the Houſe conſiſting then of about Sixſcore) it was Voted, "That it ſhould be duly obſerv'd.

HOWEVER, the next day, contrary to all Rules and Orders of Parliament, very many being abſent who had been active in that Debate, They ſuſpended that Order; and Reſolv'd, "That the Standing of the Communion-Table in all "Churches ſhould be alter'd; the Rails (which in moſt Places had been ſet up for the greater Decency) "ſhould be "pull'd down; that the Chancels ſhould be levell'd, and "made even with all other parts of the Church; and that no "man ſhould preſume to bow at the Name of *Jeſus* (which was enjoin'd by a Canon, and of long uſe in the Church) and having digeſted theſe Godly Reſolutions into an Order, they carried it up to the Lords for Their concurrence; promiſing themſelves, that from the ſmall number which remain'd there, they ſhould find no diſſent. But the major part of the Lords being much ſcandalized, that the Houſe of Commons ſhould not only unſeaſonably, and irregularly, interpoſe in a matter wherein they had not the leaſt juriſdiction; but ſhould preſume to diſturb the Peace of the Church, and interrupt the Settled and Legal Government thereof, by ſuch Schiſmatical preſumption, not only refuſed to joyn with them,

them, but instead thereof, directed an Order, formerly made by the House of Peers (on the Sixteenth of *January* before) to be Printed, to this effect, "That the Divine Service "should be Perform'd, as it is appointed by the Acts of Par- "liament of this Realm; and that all Such as shall Disturb "that Wholsome Order, shall be Severely Punish'd according "to Law; and acquainted the Commons therewith: Who, nothing satisfied, pursued their former Order; and, "Com- "manding all the Commons of *England* to Submit to Their "direction, declared, That the Order of the Lords was made "by the Consent but of Eleven Lords, and that Nine other "Lords did dissent from it; and therefore, that No Obe- "dience should be given thereunto. Whereas, the Order had been made in Full Parliament, seven Months before; and was seasonably order'd to be Publish'd, by the Major Part present, upon that Important occasion. And Such an Arraigning the House of Peers for Publishing an Order in maintenance of the Laws establish'd, by Those who had no Authority to declare what the Law was, nor a Jurisdiction over Those who should infringe the Law, was so transcendent a Presumption, and Breach of Privilege, that there was great expectation what the Lords would do in their own Vindication.

An Ordinance of both Houses for a Day of Thanksgiving, on occasion of the Pacification.

THERE was one Clause in the Act of Pacification, "That "there should be a Publick and Solemn Day of Thanksgi- "ving, for the Peace between the two Kingdoms of *England* "and *Scotland*: But no day being appointed for that act of Indevotion, the Lords and Commons assumed the Power to themselves of directing it; and to that purpose, made an Ordinance (as they call'd it) "That it should be observ'd on the "Seventh of *September* following, throughout the Kingdom "of *England* and Dominion of *Wales*. Which was done accordingly: the Factious Ministers in all Pulpits, taking occasion then to magnify the Parliament, and the *Scots*; and to infuse as much Malignity into the People, against Those who were not of that Faction, as their Wit and Malice could suggest; the House of Commons celebrating that day in the Chappel at *Lincoln*'s-Inn; because the Bishop of *Lincoln*, as Dean of *Westminster*, had form'd a Prayer for that occasion, and enjoyn'd it to be read on that day, in those Churches where He had Jurisdiction; which they liked not: both as it was a Form, and form'd by Him; and so avoided coming there.

AFTER the Solemnization of that day, and their making their Declaration against the Lords, about the Order above mention'd, and the recommending some Seditious, Unconformable Ministers, to be Lecturers in Churches about *London*,

don, whom the Incumbents were compell'd to receive: When They had great apprehenſion, by their Members leaving them, that they ſhould not have Forty remaining (leſs than which number could not conſtitute a Houſe of Commons) They conſented to a Receſs; and on the Ninth day of *September*, 1641, They Adjourn'd themſelves till the Twentieth day of *October* following: Either Houſe, irregularly (for the like had never been before practiſed) making a Committee, to meet twice a week, and oftner, if they ſaw cauſe, during the Receſs, and to tranſact ſuch buſineſs as they were authorized to do by Their inſtructions.

Sep. 9. 1641. *Both Houſes Adjourn'd to Octob. 20. appointing a Committee of Each to Sit during the Receſs.*

The Powers of the Committee of the Houſe of Lords:

THE Houſe of Lords limited their Committee (which conſiſted of the Earls of *Eſſex*, *Warwick*, the Lords *Wharton*, *Kimbolton*, and Twelve more; but every Three were as able to tranſact as the whole number) by their Inſtructions, "Only to open the Letters which ſhould come from the Com- "mittee in *Scotland*, and to return Anſwer to them; with "Power to recall that Committee, when they thought fit; to "ſend down Moneys to the Armies; and to aſſiſt about their "Disbanding; and in removing the Magazines from *Berwick* "and *Carliſle*.

Of the Houſe of Commons.

BUT the Houſe of Commons thought this Power too narrow for their Committee; and therefore, againſt Order too (for the Power of the Committees of both Houſes ought to have been equal) They qualified theirs (which conſiſted of Mr *Pym*, Mr *Saint-John*, Mr *Strode*, Sr *Gilbert Gerrard*, Sr *Henry Mildmay*, Sr *Henry Vane*, Alderman *Pennington*, Captain *Venn*, and Others; every Six having the Authority of the Whole) as well with the Powers granted to the Lords, as likewiſe, "To go on in preparation of proceedings, againſt "ſuch Delinquents, as were voted againſt, or complain'd of "in the Houſe; and to receive any offers of Diſcovery that "They ſhould make; To ſend to all Sheriffs, and Juſtices of "the Peace, upon information of any Riots, or Tumults, to "ſtir them up in their Duty in Repreſſing them; and to re- "port to their Houſe any Failing in Obedience to Their "Commands; To take the Accounts of any Accountants to "his Majeſty, in order to the preparation of his Majeſty's "Revenue; To conſider of framing and conſtituting a *Weſt-* "*India* Company; and to conſider the Fiſhing, upon the "coaſts of *England*, *Scotland*, and *Ireland*; and many other Extravagant particulars: which ſerv'd to magnify the Authority of that Committee; and to draw Reſort and Reverence to them from almoſt all ſorts of men.

The Buſineſs before the Committee of the Commons.

THE Houſes being thus Adjourn'd; the Committee of the Commons appointed Mr *Pym* to ſit in the Chair; who, forthwith, with his own hand, Sign'd the Printed Declarations

tions before mention'd, of the Ninth of *September*; and cauſed them to be ſo Read in all Churches in *London*, and throughout the Countries. Whereupon, the Seditious and Factious perſons, cauſed the Windows to be broken down in Churches; broke down the Rails, and removed the Communion-Table (which, in many places, had ſtood in that manner ever ſince the Reformation) and committed many Inſolent and Scandalous Diſorders. And when the Miniſter, and the Graver and more Subſtantial ſort of Inhabitants, uſed any Oppoſition, and Reſiſted ſuch their Licence, They were immediately required to attend the Committee; and, if they could be neither perſwaded, nor threatned to Submit, their attendance was continued from day to day, to their great Charge and Vexation. If any Grave and Learned Miniſter refuſed to admit into his Church a Lecturer recommended by Them (and I am Confident, there was not, from the beginning of this Parliament, one Orthodox, or Learned Man, recommended by them to any Church in *England*) He was preſently required to attend upon the Committee; and not diſcharg'd till the Houſes met again; and Then likewiſe, if he eſcaped Commitment, continued, to his intolerable Loſs and Trouble: few men having the Patience to endure that Oppreſſion, againſt which they knew not whither to Appeal; and therefore in the end Submitted to what they could not Reſiſt: And ſo all Pulpits were ſupplied with Their Seditious and Schiſmatical Preachers.

THE Armies were at laſt Disbanded; and, about the end of *September*, the Earl of *Holland*, in great Pomp, return'd to his Houſe at *Kenſington*; where he was viſited and careſs'd, with great application, by all the Factious Party: for he had now, whether upon the Diſobligation remembred before, of being denied the making a Baron; or upon ſome Information, of ſome ſharp Expreſſions uſed by the Queen upon his Letter; and the Conſcience of that Letter: or the apprehenſions of being Queſtion'd, and Proſecuted, upon the Enormities of his Office of Chief Juſtice in Eyre, and other Tranſgreſſions, fully declared himſelf of their Party. And that They might be the better prepared to keep up the Prejudice to the King, and the keenneſs againſt the Court, till the coming together of both Houſes; when, they had reaſon to believe, the obſervation of Their Crooked and Indirect Courſes, and their viſible, unwarrantable Breaches, upon the Church, and the Religion eſtabliſh'd by Law, would render men leſs devoted to them; his Lordſhip furniſh'd them with many Informations of what had paſs'd in the late Army, which might be wreſted to the King's diſadvantage: told them whatſoever the King himſelf had ſaid to him,

The Armies Disbanded.

when He look'd upon him as a Person True to him, and when, it is very probable, He was not much delighted with the Proceedings at *Westminster*; and of all the particulars, which Sr *Jacob Ashley* and Sr *John Coniers* had inform'd him, when they took him to be of entire Trust with his Majesty, and wholly under that consideration (whereupon, They were afterwards examin'd, and compell'd to testify That in Publick, which they had before imparted to Him in the greatest Secrecy) and added to all this, whatever information he had receiv'd by the Lady *Carlisle*, of Words or Actions, spoken or done by the Queen, which might increase Their Jealousy or Malice to her Majesty. And He himself (who had been always believ'd a Creature of the Queen's; and exceedingly obliged, and protected, by Her immediate and single grace and favour, against the Earl of *Portland*, the Earl of *Strafford*, and the Arch-Bishop of *Canterbury*, in those times when They had otherwise destroy'd him) visited her Majesty but once, from the time of His return out of the North to the time of the King's return from *Scotland*, which was full six weeks. And yet, there were some Men still at those private meetings at *Kensington*, who thought the Queens favour a likelier means for their Preferment, than the Interest of the Others; and therefore always gave advertisement to her of what pass'd in that Company: which Information, for want of due care in the managery, and by reason of the unfaithfulness of her nearest Servants, commonly produced somewhat, of which the other Side made greater advantage, than She could do by the knowledge of Their Counsels and Resolutions.

The short Recess of the Parliament, though it was not much above the space of a Month, was yet a great Refreshment to Those who had Sate near a full Year, Mornings and Afternoons, with little or no intermission; and in that warm Region, where Thunder and Lightning was made. Some very Unwarrantable Proceedings, by the Committee that Sate during the Recess, or Mr *Pym*, who sate in the Chair of that Committee, and issued out those Orders concerning the Church, gave so much Offence, and Scandal, that the Members were like to meet together with more Courage, and less inclinations to Novelties, than they had parted with. But there were several accidents fell out, some from very little, and some from very great Causes, which had that Influence upon the Nature and Spirit of Men, and upon the Actions of that time, that, for the better understanding some particular passages, which will appear pertinent, it will be even necessary, briefly, and it shall be but very briefly, to mention some of those Particulars.

When

WHEN the King went into *Scotland*; for the better preſerving the Correſpondence between the two Kingdoms, as was pretended; and to ſee all things perform'd, which were to be done in the Parliament of *Scotland*, by the Act of Pacification; a ſmall Committee (as hath been before ſaid) was appointed by the two Houſes, conſiſting of one Lord, and two Commons, to Attend (as the Phraſe was) upon his Majeſty: but, in truth, to be Spies upon him; and to give the ſame aſſiſtance to the Parliament There, upon any emergent occaſion, as the *Scotiſh* Commiſſioners had done Here. *A ſmall Committee of Both Houſes attended the King in* Scotland.

THE Perſon appointed by the Lords, was the Lord *Howard* of *Eſcrick*; a younger Son of the Houſe of *Suffolk*: who, in the time of the Duke of *Buckingham*, married a Neece of his; and having his whole dependence upon him, and being abſolutely govern'd by him, was by him made a Baron; but that Dependence being at an end; his Wife dead; and He without any Virtue to promote himſelf; He withdrew himſelf from Following the Court; and ſhortly after, from Wiſhing it well; and had now, deliver'd himſelf up, Body and Soul, to be diſpoſed of by that Party, which appear'd moſt Averſe, and Obnoxious to the Court and the Government: and only in that Confidence, was deſign'd to that Employment; and to be entirely Diſpoſed and Govern'd by the two Members, who were joyn'd with him by the Houſe of Commons, who were, Sr *Philip Stapleton*, and Mr *Hambden*. *For the Lords, the Lord* Howard *of* Eſcrick. *For the Commons, Sir* Philip Stapleton, Mr Hambden.

THE Latter hath been mention'd before, as a Man of great Underſtanding, and Parts, and of great Sagacity in diſcerning Men's natures and manners; and he muſt, upon all occaſions, ſtill be mention'd as a perſon of great Dexterity and Abilities, and Equal to any truſt or employment, good or bad, which he was inclined to undertake.

THE Other, Sr *Philip Stapleton*, was a proper Man, of a fair extraction; but, being a Branch of a Younger Family, inherited but a moderate Eſtate, about five hundred pounds a year, in *York-ſhire*; and, according to the cuſtom of that Country, had ſpent much time in thoſe delights which Horſes and Dogs adminiſter. Being return'd to ſerve in Parliament, He concurr'd with his Neighbours, *Hotham* and *Cholmondley*; being much younger than they, and govern'd by them in the Proſecution of the Earl of *Strafford*; and ſo was eaſily receiv'd into the Company and Familiarity of that whole Party which took that work to heart; and in a ſhort time, appear'd, a Man of Vigour in body and mind; and to be rather Without good Breeding, than not Capable of it; and ſo he quickly outgrew his Friends and Country-men in the Confidence of Thoſe who govern'd: They looking upon him, as worth the getting entirely to them; and not averſe from being gotten;

gotten; and so joyn'd him with Mr *Hambden* in this their first employment (and the First, that ever a Parliament had of that kind) to be initiated under so great a Master; whose instruction He was very capable of.

Transactions in Scotland, touching Mountrose, Argyle, and Hamilton.

THERE had been, even from the time the *Scotish* Army came into *England*, many Factions, and Jealousies, amongst the Principal Persons of that Nation; but none so much taken notice of, as that between the two Earls, of *Mountrose*, and *Argyle*. The former took himself to have Deserv'd as much as any Man, in contributing more, and appearing sooner, in Their first approach towards Rebellion; as indeed he was a Man of the best quality, who did so soon discover himself; and it may be he did it the sooner, in Opposition to *Argyle*; who, being then of the King's Council, he doubted not, would be of his Majesty's Party. The People look'd upon them Both, as Young Men of unlimited Ambition; and used to say, "That they were like *Cæsar* and *Pompey*, the One "would endure no Superior, and the Other would have no "Equal. True it is, that from the time that *Argyle* declared himself against the King (which was immediately after the First Pacification) *Mountrose* appear'd with less vigour for the Covenant; and had, by underhand and secret insinuations, made proffer of his Service to the King. But now, after his Majesty's arrival in *Scotland*, by the introduction of Mr *William Murray* of the Bed-Chamber, He came privately to the King; and inform'd him of many Particulars, from the beginning of the Rebellion; and "That the Marquis of *Hamil-*"*ton*, was no less Faulty, and False towards his Majesty, than "*Argyle*; and offer'd "To make Proof of all in the Parlia-"ment; but rather desired, "To have them Both made away; which He frankly undertook to do: but the King abhorring that expedient, though for his own Security, advised, "That "the Proofs might be prepared for the Parliament. When suddainly, on a *Sunday* morning, the City of *Edenborough* was in Arms; and *Hamilton*, and *Argyle*, both gone out of the Town to their own Houses; where they stood upon their guards; declaring publickly, "That they had withdrawn themselves, "because they knew that there was a design to Assassinate "them; and chose rather to absent themselves, than by stand-"ing upon their Defence in *Edenborough* (which they could "well have done) to hazard the Publick Peace, and Security "of the Parliament; which thunder'd on their behalf.

THE Committee at *Edenborough* dispatch'd away an Express to *London*, with a dark and perplex'd account, in the morning that the two Lords had left the City; with many doubtful expressions, "What the end of it would be: not without some dark insinuations, as if the design might look farther

father than *Scotland*. And these Letters were brought to *London*, the day before the Houses were to come together, after the Recess; all that Party taking Pains to Perswade Others, "That it could not but be a Design to Assassinate "More Men than those Lords at *Edenborough*.

AND the morning the Houses were to meet, Mr *Hyde* being walking in *Westminster*-Hall, with the Earl of *Holland* and the Earl of *Essex*, Both the Earls seem'd wonderfully concern'd at it; and to believe, "That other Men were in "danger of the like Assaults; the Other, not thinking the Apprehension worthy of them, told them merrily, "That He "knew well what opinions They Both had of those two "Lords, a Year or two before, and he wonder'd how they "became so alter'd; to which They answer'd smiling, "That "the Times and the Court was much alter'd since. And the Houses were no sooner Sate, but the Report being made in the House of Commons, and the Committee's Letter from *Scotland* being Read, a Motion was made, "To send to the "House of Peers, that the Earl of *Essex*, who was left by "the King General on this Side *Trent*, might be desir'd to "appoint such a Guard, as He thought competent for the Se- *The Earl of* "curity of the Parliament, constantly to attend while the *Essex appoints a* "Houses sate; which was done accordingly; and continued, *Guard for* till They thought fit to have other Guards. All which was *the Security* done to Amuse the People, as if the Parliament were in Dan- *of the Parliament.* ger, when in *Scotland*, all things were quickly Pacified; and ended in creating the Maquis *Hamilton* a Duke, and *Argyle* a Marquis.

THERE was a Worse Accident than all these, which fell *News of the* out in the time of the King's stay in *Scotland*, and about the *Rebellion in* time of the two Houses reconvening; which made a wonderful impression upon the minds of Men; and proved of infinite Disadvantage to the King's affairs, which were then recovering new life; and that was the Rebellion in *Ireland*: which broke out about the middle of *October*, in all parts of the Kingdom. Their Design upon *Dublin* was miraculously discover'd, the night before it was to be executed; and so the Surprizal of that Castle prevented; and the principal Conspirators, who had the charge of it, apprehended. In the other parts of the Kingdom, They observ'd the time appointed, not hearing of the Misfortunes of their Friends at *Dublin*. A general Insurrection of the *Irish* spread it self over the whole Country, in such an Inhumane and Barbarous manner, that there were Forty or Fifty Thousand of the *English* Protestants murder'd, before they suspected themselves to be in any danger, or could provide for their Defence, by drawing together into Towns, or strong Houses.

FROM

FROM *Dublin*, the Lords Juſtices, and Council, diſpatch'd their Letters by an Expreſs (the ſame Man who had made the Diſcovery, one *Oconelly*, who had formerly been a Servant to Sr *John Clotworthy*) to *London*, to the Earl of *Leiceſter*, then Lord Lieutenant of *Ireland*. From the Parts of the North, and *Ulſter*, an Expreſs was ſent to the King himſelf, at *Edenborough*; and the Kings Letters from thence, to the two Houſes, arrived within leſs than two days after the Meſſenger from *Dublin*.

IT was upon a *Sunday* night, that the Letters from *Dublin* came to the Earl of *Leiceſter*; who immediately cauſed the Council to be ſummon'd, and aſſoon as it was met, inform'd them of the condition of *Ireland*; that is, ſo much as thoſe Letters contain'd: which were written, when little more was known than the Diſcovery at *Dublin*; and what the Conſpirators had confeſs'd upon their examinations. The Houſe of Peers had then adjourn'd it ſelf to the *Wedneſday* following; but the Houſe of Commons were to meet on the next day, *Monday* morning; and the Council reſolv'd, "That they "would in a Body go to the Houſe of Commons, aſſoon as it "Sate, and inform them of it; which they did; notice being firſt given to the Houſe, "That the Lords of the Council had "ſome matters of Importance to impart to them, and were "above in the Painted Chamber ready to come to them: whereupon, Chairs were ſet in the Houſe for them to repoſe themſelves, and the Serjeant ſent to conduct them. Aſſoon as they enter'd the Houſe, the Speaker deſired them to Sit down; and then being cover'd, *Littleton*, Lord Keeper, told the Speaker, "That the Lord Lieutenant of *Ireland*, having "receiv'd Letters from the Lords Juſtices and Council there, "had communicated them to the Council; and ſince the "Houſe of Peers was not then Sitting, They had thought fit, "for the Importance of the Letters, to impart them to that "Houſe; and ſo referr'd the buſineſs to the Lord Lieutenant; who, without any inlargement, only read the Letters he had receiv'd, and ſo the Lords departed from the Houſe.

The Lords of the Council acquaint the Houſe of Commons with the News, the Houſe of Lords not Sitting.

THERE was a deep ſilence in the Houſe, and a kind of Conſternation: moſt Mens heads having been Intoxicated from their Firſt meeting in Parliament, with imaginations of Plots, and Treaſonable Deſigns, through the Three Kingdoms. The affair it ſelf ſeem'd to be out of their cogniſance; and the communication of it, ſerv'd only to prepare their thoughts, what to do when more ſhould be known; and when they ſhould hear what the King thought fit to be done. And when the King's Letters arriv'd, they were glad the news had come to him, when he had ſo good Council about him to adviſe him what to do.

THE

THE King was not then inform'd of what had been discover'd at *Dublin*; but the Letters out of *Ulster* (which he sent to the Parliament) gave him notice "Of a general Insurrection in the North; and of the Inhuman Murders committed there upon a multitude of the Protestants; and that "Sr *Phelim O Neil* appear'd as their General and Commander "in chief.

UPON which his Majesty writ to the two Houses, "That "he was satisfied that it was no Rash Insurrection, but a "Form'd Rebellion; which must be Prosecuted with a sharp "War; the conducting, and prosecuting whereof, he wholely "committed to their Care and Wisdom, and depended "upon Them for the carrying it on; and that for the pre- "sent, He had caused a strong Regiment of fifteen hundred "Foot, under good Officers to be transported out of *Scot-* "*land* into *Ulster*, for the Relief of those Parts: which were upon the matter wholly inhabited by *Scots* and *Irish*; there being fewer *English* there, than in any Part of *Ireland*. *His Majesty writes to the two Houses about it.*

THIS fell out to their wish; and thereupon they made a Committee of both Houses, "For the consideration of the af- "fairs of *Ireland*, and providing for the supply of Men, "Arms, and Money, for the Suppressing that Rebellion; the Lord Lieutenant of *Ireland* being one of the Committee: which sate every morning in the Painted Chamber; and the Lord Lieutenant first communicated all the Letters he receiv'd to Them to be consulted on, and to be thence reported to the two Houses; which were hereby possess'd of a large Power, and Dependence; all Men applying themselves to Them, that is to the chief Leaders, for their Preferments in that War: the mischief whereof, though in the beginning little taken notice of, was afterwards felt by the King very sensibly.

THESE concurrent Circumstances, much alter'd and suppress'd that good humour and spirit the Houses were well disposed to meet in, and the Angry Men, who were disappointed of the Preferments they expected, and had promised themselves, took all occasions, by their Emissaries, to insinuate into the minds of the People, "That this Rebellion "in *Ireland*, was contrived and fomented by the King; or at "least by the Queen, for the advancement of Popery; and "that the Rebels publish'd and declar'd, That they had the "King's Authority for all they did; which Calumny, though without the least Shadow or Colour of Truth, made more Impression upon the minds of Sober and Moderate Men (who, till that time, had much disliked the Passionate Proceedings of the Parliament) than could be then imagin'd, or can yet be believ'd. So great a Prejudice, or want of Reverence was

was universally contracted against the Court: especially the Queen; whose Power and Activity was thought too great.

A Committee revived for drawing up a Remonstrance.

SHORTLY after the beginning of the Parliament, there had been a Committee appointed, "To prepare and draw up a "general Remonstrance of the state of the Kingdom, and the "particular Grievances it had sustain'd; but it scarce met, or was ever after spoken of: But now, the Houses no sooner met after the Recess, than Mr *Strode* (one of the Fiercest Men of the Party; and of the Party only for his Fierceness) moved, "That that Committee might be revived, and order'd to "meet; for which of course, a time and place was appointed: by which Men easily discern'd, that nothing of their Fury was abated, but rather increased, in that they found their Credit every day lessen'd in the House, by the opposition and contradiction they sustain'd. And they being thus disquieted; and knowing little; and so doubting much; every day seem'd to them to produce a new Discovery, of some new Treason, and Plot, against the Kingdom. One day, "A Let-"ter from beyond Seas, of great Forces prepared to Invade "*England*; another, "Of some Attempt upon the Life of "Mr *Pym*: and no occasion omitted to speak of the Evil Council about the King; when scarce a Counsellor durst come near him; or be suspected to hear from him.

A new Bill of the House of Commons to take away Bishops Votes.

AFTER some days, a new Bill was presented to the House of Commons, "For the taking away the Bishops Votes in "Parliament; and for Disabling them to exercise any Tem-"poral Office in the Kingdom: against which was objected, "That it was contrary to the Course and Order of Parlia-"ment, that any Bill that had been Rejected, should be again "Preferr'd the same Session; and therefore it ought not to "be so much as Read: to which nothing was reply'd but Noise; and "That this Bill varied in some Clauses from the "former; and that the good of the Kingdom absolutely de-"pended upon it: and so, by the majority of Voices, it was order'd to be read: and afterwards, without any very considerable opposition, Pass'd the House, and was transmitted to the Lords: the greatest argument being, "That their in-"termeddling with Temporal Affairs, was inconsistent with, "and destructive to, the exercise of their Spiritual Function. Whilst their Reformation, both in *Scotland*, and this Kingdom, was driven on by Men so much, as Those of their Clergy who were their Instruments. As, without doubt, the Arch-Bishop of *Canterbury* had never so great an Influence upon the Counsels at Court, as Dr *Burgess*, and Mr *Marshal*, had then upon the Houses; neither did all the Bishops of *Scotland* together, so much meddle in Temporal Affairs, as Mr *Hunderson* had done.

THERE

THERE being at this time, the Bishopricks of *Worcester*, *Lincoln*, *Exeter*, *Chichester*, and *Bristol*, Void by Death, or Traslation; The King, during the time of his being in *Scotland*, collated to those Sees, Dr *Prideaux*, the King's Professor of Divinity in *Oxford*; Dr *Winniff*, Dean of St *Paul's*; Dr *Brownerigg*, Master of *Catharine*-Hall in *Cambridge*; Dr *Henry King*, Dean of *Lichfield*; and Dr *Westfield* of Great St *Bartholomews*, *London*: All of great Eminency in the Church; frequent Preachers; and not a Man, to whom the Faults of the Then Governing Clergy were imputed, or against whom the least Objection could be made. *The King fills up divers vacant Bishopricks in England.*

ASSOON as the House of Commons heard of this designation of his Majesty's (having then newly the Second time sent up to the House of Peers, their Bill to remove Bishops from thence) They were much troubled, that at a time when They resolv'd to take away the Old, the King should presume to make New Bishops; and to create so many Voices to assist the other; and therefore, They urged very earnestly, "That the Lords might be moved to joyn with them, in "sending to the King, to make no new Bishops, till the Con- "troversy should be ended about the Government of the "Church: which appear'd so Unreasonable, that the Wisest of Them who wish'd it, apprehended no Possibility that the Lords would joyn with them; or if They did, that the King would be prevail'd with. However, being glad to find their Companions had so much mettle, after a long Debate, the major part carried it, "That a Committee should be appoint- "ed, to draw up Reasons to give the Lords, to concur with "them in that desire to the King: but, after that, moved that Stone no further. *The Commons offended at it.*

IN all Debates of this nature, where the Law, Reason, and Common Sense, were directly Opposite to what they proposed, They suffer'd Those who differ'd from them in opinion, and purposes, to say what they thought fit in opposition; and then, without vouchsafing to endeavour their satisfaction, call'd importunately for the Question; well knowing, that They had a Plurality of Voices to concur with them, in whatsoever they desired. I remember, in this last business, when it was voted that a Committee should be named to draw up Reasons, many of Those who had during the Debate positively argued Against the thing, were call'd upon to be of that Committee; and amongst them, the Lord *Falkland*, and Mr *Hyde*, who stood up, and "Desired to be Excused "from that Service, where they could be of no Use; having "given so many reasons against it, that they could not ap- "prehend any could be given for it; therefore thought, the "work would be better done, if Those who had satisfied "Them-

"Themſelves with the Reaſonableneſs of what they wiſh'd, "would undertake the converting and diſpoſing of Other "Men. There was a Gentleman who ſate by Mr *Bond* of *Dorcheſter*; very Severe, and Reſolv'd, againſt the Church and the Court) who, with much Paſſion, and Trouble of mind, ſaid to them, "For God's ſake be of the Committee, "You know none of our ſide can give Reaſons; which made Thoſe that over-heard him Smile: though he ſpoke it ſuddainly; and upon obſervation that the Leaders were not then in the Houſe. Otherwiſe, it cannot be denied, Thoſe who conducted them, and were the Contrivers of the Miſchief, were Men of great Parts, and unſpeakable Induſtry; and their Silence in ſome Debates, proceeded partly from Pride, that it might appear, Their Reputation and Intereſt, had an Influence upon the Senſe of the Houſe, againſt any Rhetorick or Logick: but principally, from the Policy they were obliged to uſe: for, though they could have given a pregnant reaſon for the moſt extravagant overture they ever made, and evinced it, that it was the proper way to Their end; yet, it not being time to diſcover their purpoſes (how apparent ſoever they were to diſcerning Men) they were neceſſarily to give no reaſons at all; or ſuch as were not the true ones.

THIS Stratagem failing of ſtopping the creation of the new Biſhops; They endeavour, by all means, to haſten the Houſe of Peers to diſpatch the work before them, before they ſhould be qualified (their Elections, Confirmations, and Conſecrations, and other Ceremonies, ſpending much time) to increaſe the number of the Oppoſers; and for the better doing thereof, with great confidence, They demand of the Lords, "That no Recuſant Lord, or any Biſhop, might have "a Vote in the paſſing that Act: the laſt being Parties; and "the other not ſuppoſed competent Judges on the behalf of "the Kingdom. But, when they found that Logick could not prevail (the demand being indeed ſo Scandalous, that the Houſe of Peers, if they had not been fatally miſled, muſt have reſented it as a high Preſumption, and inſolent Breach of Privilege) with more Formality and Colour, though as Unreaſonably, They preſs'd, "That thoſe Thirteen Biſhops, "whom They had before Impeach'd, for making the late "Canons; and upon whom their Lordſhips themſelves had "paſs'd Severe Votes (ſuch indeed as were fitter for Accuſers than Judges, Unparliamentary and Unprecedented) "might be Sequeſter'd from the Houſe, till they ſhould be "brought to Judgment. And for this, They found Lawyers in their Houſe, who, proſtituting the Dignity and Learning of their Profeſſion, to the cheap and vile affectation of Popular Applauſe, were not aſhamed, to aver Cuſtom and Law for

for their Senſeleſs Propoſition. But the Houſe of Peers was not Yet deluded enough, or terrified (though too many amongſt them paid an implicit devotion to the Houſe of Commons) to comply in this unreaſonable demand.

The Animoſities at that time between ſome great Lawyers and ſome Churchmen produced great miſchiefs.

And here I cannot but with grief and wonder remember, the Virulency and Animoſity expreſs'd at that time, upon all occaſions, by Many of good knowledge in the excellent and wiſe Profeſſion of the Common Law, towards the Church, and Church-men; taking all opportunities, uncharitably to improve Miſtakes into Crimes; and, unreaſonably, to transfer and impute the Follies and faults of Particular men, to the Malignity of their Order and Function; and ſo, whet and ſharpen the edge of the Law, to wound the Church in its Juriſdiction; and at laſt to cut it up by the Roots, and demoliſh its Foundation. It cannot be denied, that the Peeviſh ſpirits of ſome Clergy-men, have taken great pains to alienate that profeſſion from them; and Others, as unskilfully (finding, that in former times, when the Religion of the State was a Vital part of its Policy, many Church-men were employ'd Eminently in the Civil Government of the Kingdom) imputed Their wanting thoſe Ornaments their Predeceſſors wore, to the Power and Prevalency of the Lawyers; of whom, ſome Principal men, in all times, They could not but obſerve to have been their avow'd Enemies: and ſo believ'd, the Straitning and Confining the Profeſſion of the Comman Law, muſt naturally Extend and Enlarge the Juriſdiction of the Church. Thence aroſe Their bold and unwarrantable Oppoſing and Proteſting againſt Prohibitions, and other Proceedings at Law, on the behalf of Eccleſiaſtical Courts; and the procuring ſome Orders and Priviledges from the King, on the behalf of the Civil Law, even with an excluſion of the other: as the Arch-Biſhop of *Canterbury*, prevailed with the King to direct, "That half the Maſters of the "Chancery ſhould be always Civil Lawyers; and to declare, "that no others, of what condition ſoever, ſhould ſerve him "as Maſters of Requeſt. All which was a great miſtake: For, beſides the ſtopping Prohibitions was an envious Breach upon the Juſtice of the Kingdom; which at ſome time or other, will ſtill be too hard for the ſtrongeſt Oppoſers and Oppreſſors of it: I could never yet know, Why the Doctors of the Civil Law, were more of Kin to the Biſhops, or the Church, than the Common Lawyers were. To ſay, that Their Places were in the Biſhops diſpoſal, as Chancellors, Commiſſaries, and the like; and therefore, that their Perſons were more like to be at Their diſpoſal too; at leaſt, to pay them greater Reverence; concludes nothing: for the Clergy had opportunity enough, to oblige and create an equal

dependence from the Profession of the Common Law; and I am perswaded, the Stewardships to Bishops, and of the Lands of the Church, which were to be managed by the Rules of the Common Law, were not much inferior in Profit to all the Chancellorships in *England*. And then, if where the Policy may consist with Justice, it is no ill measure in making Friendships, to look into, and compare, the Power of doing Hurt, or doing Good; it is apparent, that the Civil Law in this Kingdom, had not, in the least degree, the ability to Help, or to hurt the Church, in any exigency, as the Common Law had: Whose Professors had always, by their Interests, Experience, and Reputation, so great an Influence upon the Civil State, upon Court and Country, that they were notable Friends or Enemies. And the dependence of the Church, as to their inheritance, and Estates (except their minute Tythes) was entirely upon the Law; being only determinable by those Rules, by which They have seldom receiv'd eminent Injustice. And truly, I have never yet spoken with one Clergy-man, who hath had the experience of both litigations, that hath not ingenuously confess'd "He had ra-"ther, in the respect of his trouble, charge, and satisfaction "to his understanding, have Three Suits depending in *West-*"*minster*-Hall, than one in the Arches, or any Ecclesiastical "Court.

THE Particulars above mention'd, were, I confess, to Vulgar minds, great Provocations and Temptations to Revenge: and therefore, I do not at all wonder, that, in the great herd of the Common Lawyers, many Pragmatical spirits, whose thoughts and observations have been contracted to the narrow limits of the few Books of that Profession; or within the narrower Circle of the Bar Oratory: should go along with the Stream, in the Womanish art of Inveighing against Persons, when they should be Reforming Things: and that some, by degrees, having found the Benefit of being of that Opinion (for we all remember, when Papist and Puritan Lawyers got more Money than their Neighbours, for the Private Opinions they were of; not what they deliver'd in Publick) grew at last, to have Fits of Conscience in earnest; and to believe, that a Parity in the Church was necessary to Religion; and not like to produce a Parity in the State: of which Doctrine if they had been then suspected, they would quickly have been ashamed of such Divinity.

BUT, that Learned and Unbiass'd (I mean Unprovoked) men, in that Science of our Law, who knew the Frame and Constitution of the Kingdom, and that the Bishops were no less the Representative body of the Clergy, than the House of Commons was of the People; and consequently, that the depriving

depriving Them of voice in Parliament, was a Violence, and removing Landmarks, and not a Shaking (which might Settle again) but Diſſolving Foundations; which muſt leave the Building unſafe for habitation: That Such men, who knew the Eccleſiaſtical and Civil State, was ſo wrought and interwoven together, and, in truth, ſo incoporated in each other, that the one could not long continue in Proſperity without the other; and that the Profeſſors of the Law were never at ſo great a height, as even in this Time that They ſo unjuſtly envied the greatneſs of the Church: and laſtly, That They, who might well know, that the great and unweildy Body of the Clergy, conſiſting of ſuch different tempers, humours, inclinations and abilities; and which inevitably will have ſo ſtrong an Influence upon the nature and affections of the People; could never be Regulated and Govern'd by any Magiſtrates but of themſelves; nor by any Rules, but of ſuch Power as the Biſhops exerciſed; Whom (beſides all arguments of Piety, and ſubmiſſion to Antiquity) the experience of the Bleſſed Times ſince the Reformation, not to be paralel'd in any Nation under Heaven, declared to be the moſt Happy Managers of that Power, whatſoever rankneſs and excreſcence might have proceeded from ſome Branches: I ſay, that theſe Knowing and Diſcerning men (for Such I muſt confeſs there have been) ſhould believe it poſſible for Them to flouriſh; or that the Law it ſelf would have the ſame Reſpect and Veneration from the People, when the well diſpoſed Fabrick of the Church ſhould be rent aſunder (which, without Their activity and skill in Confuſion, could never have been compaſs'd) hath been to me an Inſtance of the Divine Anger againſt the Pride of Both, in ſuffering them to be the Fatal Engines of Breaking one another: whereas Neither could have been oppreſs'd by any other Strength or Power but Their own.

And I cannot but ſay, to the Profeſſors of that great and admirable myſtery, the Common Law (upon which, no man looks with more affection, reverence, and ſubmiſſion) Who ſeem Now, by the Fury and Iniquity of the Time, to ſtand upon the ground they have won, and to be Maſters of the Field; and, it may be, Wear ſome of the Trophies and Spoils They have raviſh'd from the Oppreſs'd; that They have yet but ſharpen'd Weapons for other to wound them; and that Their Own Arguments and Eloquence, may be, one time or other, applied to Their Own Deſtruction. And therefore, if they have either Piety, to repent and redeem the ill that they have wrought; or Policy, to preſerve their own condition from Contempt; and Themſelves from being Slaves to the moſt abject of the People; They will at length wind up

the Church and the Law into one and the ſame Intereſt; and, by a firm and ſteady purſuit, endeavour to fix Both on the ſame Foundation, from whence they have been ſo violently diſturb'd.

By this time the King was as weary of *Scotland*, as he had been impatient to go thither; finding all things propoſed to him, as to a vanquiſh'd Perſon, without conſideration of his Honour, or his Intereſt; and having not one Counſellor about him, but the Duke of *Lenox* (who from the beginning carried himſelf by the moſt exact rules of Honour, Gratitude, and Fidelity to him) and very few followers, who had either affection to his Perſon, or reſpect to his Honour.

That which ſhould have been an Act of Oblivion, was made a Defence and Juſtification of whatſoever They had done: Their firſt Tumults, and erecting their Tables, in Oppoſition to, and at laſt Suppreſſing, both Courts of Juſtice and Seſſion; and the Acts and Orders of thoſe Tables; declared to be "The effects of their Duty to his Majeſty; and "according to the Law of the Land: And ſo all Thoſe, who, according to their Allegiance, had oppoſed and reſiſted them on the behalf of his Majeſty, and were qualified by his Majeſty's Commiſſions, were adjudg'd Criminal; and the only perſons Excepted from Pardon, and Exempted from the Benefit of that Oblivion.

The Seditious Acts of that Aſſembly, which had Expell'd all Biſhops, and the Canonical Clergy, from being Members of that Aſſembly; and affirm'd Themſelves to have a Power, "To inflict the Cenſures of the Church upon his Majeſty him-"ſelf; were declared "To be Lawful, and according to the "Conſtitution of the Kingdom; and the Government of the "Church by Arch-Biſhops and Biſhops, declared to be againſt "the Word of God; and They condemn'd, as Enemies to "the Propagation of the true reform'd Proteſtant Religion; "and therefore to be utterly Aboliſh'd; and Their Lands given "to the King, his Heirs and Succeſſors.

In conſideration of the Kings neceſſary Abſence from that his Native Kingdom, it was thought fit, "That the Full and "Abſolute Government thereof, ſhould be committed to the "Lords of the Secret Council; who were likewiſe made "Conſervators of the Peace of the two Kingdoms, during the "intervals of Parliaments; and thoſe Lords, and Conſervators, "Were then, and ſtill, to be nam'd by Parliament; "which was once in three years to aſſemble upon a day cer-"tain, without any Summons from the King, if he neglect-"ed to publiſh ſuch Summons; and, upon the ſame reaſon, "all great Officers, as Chancellor, Treaſurer, Secretary, and "the reſt, nominated by Parliament; and in the interval "by

"by the Lords of the Secret Council; without ſo much as being concern'd to have his Majeſty's approbation.

ALL which Acts, and whatſoever elſe They were pleaſed to preſent to Him, concerning Church or State, the King confirm'd; and thereby, made the Lord *Lowden*, who had been the Principal Manager of the Rebellion, Chancellor of *Scotland*; and Created him likewiſe an Earl; and conferr'd the other great Offices, as he was directed: Then, he made the Earl of *Argyle* (for he was ſtill truſted with conferring of Honours) Marquis; Their great General, *Leſley*, Earl of *Leven*; and their Lieutenant-General, Earl of *Calendar*; and conferr'd other Honours on Perſons, according to the Capacity and Ability they had in doing him Miſchief: and laſtly (leaving all his Own Party barely to Live; for he had procured a Pardon for them from the Parliament, upon condition "They came not near the King's preſence; nor receiv'd "any Benefit from him; without Their approbation) his Majeſty gave all the Lands of the Church, which had been devolv'd to him by its ruin; and whatſoever he had elſe to give, in that Kingdom, to Thoſe who had diſcover'd it not to be in good hands before: So that he ſeem'd to have made that Progreſs into *Scotland*, only that he might make a perfect Deed of Gift of that Kingdom; which he could never have done, ſo abſolutely, without going thither. And ſo, having nothing more to do There, He begun his Journey towards *England* about the middle of *November*.

IT is not to be doubted, in conſideration of thoſe Extravagant Conceſſions, They made as Extravagant Promiſes to the King; That by their Loyal and Dutiful Comportment, his Majeſty ſhould find no diminution of his Power; That he ſhould have the entire Obedience of that Nation, to preſerve his full Rights and Regalities in *England*; and to Reduce *Ireland*: The Earl of *Leven* telling him (as Marquis *Hamilton* aſſured me, in his hearing) "That he would not only ne- "ver more ſerve againſt him; but that whenever his Ma- "jeſty would require his Service, He ſhould have it without "ever asking what the Cauſe was. And many of them whiſpering in his Ear, and aſſuring him, "That aſſoon as the Troubles "of the late Storm could be perfectly calm'd, They would "Reverſe and Repeal whatſoever was now unreaſonably ex- "torted from him. And his Majeſty having never receiv'd any conſiderable Profit from *Scotland*, cared the leſs for what he parted with There: and, it may be, being reſolv'd they ſhould be no more Charge to him in his Court here (for ſurely he had then very hard thoughts of a great part of the Nation) he believ'd he ſhould ſave more in This Kingdom, than he had given in That; and he made no doubt, but that

They were so full Fed now, that they would not stir from Home again, till the Temper and Affection of his People here, should be better disposed for their Reception.

But his Majesty never consider'd, or not soon enough, that they could not reasonably hope to keep what they had so ill got, but by the same Arts by which they were such gainers; and there cannot be a surer evidence of the Continuance of an Enemy, than the having receiv'd Injuries from him of a nature that do not use to be forgiven. Neither did he sufficiently weigh the unspeakable Encouragement; and in some particulars, the reasonable Pretence the Factious Party here would have, from the Prosperous Wickedness of those there. And, it is certain, their number from thenceforth increas'd wonderfully; the Enemies of the Church presuming their work was more than half done, when the King himself had declared (for his Consent to that Act They would easily make appear to be such) "That the Government by Arch-Bishops, "and Bishops, was against the Word of God, and the Propa- "gation of Religion. Many concluding the King would at last yield to any thing, put themselves in company of the boldest and most positive Askers; and some, who in their Hearts abhorr'd what the *Scots* had done, yet disdaining to be over-witted by them; and that they should get more for themselves, and receive a greater Argument of the King's Trust, than We of this Nation; out of pure Malice to them, resolv'd to do the same things with them; and so joyn'd and concurr'd in any Exorbitancies. All which the King too late discover'd, by the Entertainment he receiv'd upon his Return.

The Committee for the Remonstrance make their Report in the House of Commons.

About the time the news came of the King's beginning his Journey from *Scotland* upon a day appointed; and that he had settled all things in that Kingdom to the general Satisfaction; the Committee for preparing the Remonstrance, offer'd their Report to the House; which caused the Draught they offer'd, to be Read. It contain'd a very bitter Representation, of all the illegal things which had been done, from the first hour of the King's coming to the Crown, to that minute; with all the sharp Reflections which could be made, upon the King himself, the Queen, and Council; and publish'd all the unreasonable Jealousies of the present Government, of the introducing Popery; and all other particulars, that might disturb the minds of the People: which were enough discomposed.

The House seem'd generally to dislike it; many saying, "That it was very unnecessary, and unseasonable: Unneces- "sary, all those Grievances being already fully Redress'd; "and the Liberty and Property of the Subject being as well "Secured for the future, as could possibly be done: and Un- "seasonable,

"ſeaſonable, after the King had gratified them, with granting "every thing which they had deſired of him; and after ſo "long abſence, in the ſettling the Diſorders in another King- "dom, which he had happily compoſed; to be now welcom'd "Home with ſuch a volume of Reproaches, for what Others "had done amiſs, and which He himſelf had reform'd. Not- withſtanding all which, all the other Party appear'd Paſſio- nately concern'd that it might not be rejected; and enlarged themſelves with as high expreſſions againſt the Government, as at firſt; with many inſinuations, "That we were in danger "of being depriv'd of all the good Acts which we had gain'd, "if great care and vigilance were not uſed, to diſappoint "ſome Counſels which were ſtill entertain'd; making ſome doubtful glances and reflections upon the Rebellion in *Ireland* (with which they perceiv'd many good Men were eaſily amu- ſed) and in the end prevail'd, "That a day ſhould be appoint- "ed when the Houſe ſhould be reſolv'd into a Committee of "the whole Houſe, and the Remonſtrance to be then re- "taken into conſideration: and in the mean time, They em- ploy'd all their Credit and Intereſt with particular Men, to perſwade them, "That the paſſing that Remonſtrance was "moſt neceſſary, for the Preſervation and Maintenance of all "thoſe good Laws which They had already made; giving ſeveral reaſons to ſeveral perſons, according to their natures and inclinations; aſſuring many, "That they intended it only "for the mortification of the Court, and manifeſtation that "That Malignant Party, which appear'd to be growing up in "the Houſe, could not prevail; and then, "That it ſhould "remain ſtill in the Clerk's hand, and never be publiſh'd.

And by theſe, and the like Arts, They promiſed them- ſelves that they ſhould eaſily carry it: So that the day it was to be reſumed, They entertain'd the Houſe all the morning with other Debates, and towards Noon call'd for the Remon- ſtrance; and it being urged by ſome, "That it was too late "to enter upon it, with much difficulty they conſented, that "it ſhould be entred upon the next morning at nine of the "Clock; and every clauſe ſhould be Debated, the Speaker in "the Chair; for they would not have the Houſe reſolv'd into a Committee, which they believ'd would ſpend too much time. *Oliver Cromwell* (who, at that time, was little taken notice of) ask'd the Lord *Falkland*, "Why he would "have it put off, for that day would quickly have determin'd "it? He anſwer'd, "There would not have been time enough, "for ſure it would take ſome Debate. The other replied, "A very ſorry one: They ſuppoſing, by the computation they had made, that very few would oppoſe it.

But he quickly found he was miſtaken; for the next

morning, the Debate being enter'd upon about Nine of the Clock, it continued all that day; and Candles being call'd for when it grew dark (neither Side being very desirous to adjourn it till the next day; though it was evident, very many withdrew themselves out of pure faintness and disability to attend the conclusion) the Debate continued till it was after Twelve of the Clock, with much Passion; and the House being then divided, upon the passing or not passing it, it was carried in the Affirmative, by Nine Voices, and no more: and assoon as it was declared, Mr *Hambden* moved, "That there "might be an Order enter'd for the present Printing it; which produced a sharper Debate than the former. It appear'd then, that They did not intend to send it up to the House of Peers, for their Concurrence; but that it was upon the matter an Appeal to the People; and to infuse Jealousies into their minds. It had seldom been the custom to Publish any Debates, or Determinations of the House, which were not regularly first transmitted to the House of Peers; nor was it thought in truth, that the House had Authority to give warrant for the Printing of any thing; all which was offer'd by Mr *Hyde*, with some warmth, assoon as the motion was made for the Printing it. And he said, "He believ'd the Printing "it in that manner, was not lawful; and he fear'd it would "produce Mischievous effects; and therefore desired the leave "of the House, that if the Question should be put, and be "carried in the Affirmative, that He might have liberty "to enter his Protestation; which he no sooner said, than *Jeffery Palmer* (a Man of great reputation, and much esteem'd in the House) stood up, and made the same motion for himself, "That he might likewise Protest; Many afterwards, without distinction, and in some disorder, Cry'd out together, "They did protest: So that there was after scarce any quiet and regular Debate. But the House by degrees being quieted, They all consented, about Two of the Clock in the Morning to adjourn till Two of the Clock the next Afternoon. And as they went out of the House, the Lord *Falkland* ask'd *Oliver Cromwell*, "Whether there had been a Debate? to which he answer'd, "He would take his word another time: and whisper'd him in the Ear, with some asseveration, "That "if the Remonstrance had been rejected, He would have sold "all he had the next morning, and never have seen *England* "more; and he knew, there were many other Honest Men "of the same Resolution. So near was the poor Kingdom "at that time to its Deliverance.

It was carried by Nine Voices.

HOWEVER They got the Victory, they did not in a long time recover the Spirits they lost, and the agony they had sustain'd, whilst it was in suspense; and they discern'd well

well enough, that the Houſe had not at that time half its Members preſent; though they had provided, that not a Man of their Party was abſent; and that they had even carried it by the hour of the Night, which drove away a greater number of old and infirm Oppoſers, than would have made Thoſe of the Negative Superior in number: So that they had little hope, in a fuller Houſe, to prevail in any of their Unjuſt deſigns, except they found ſome other Expedient, by hopes or fears, to work upon the Affections of the ſeveral Members.

In order to which, They ſpent moſt part of the nex day in their private Conſultations, how to Chaſtiſe ſome of thoſe who offended them the day before; and reſolv'd in the firſt place, not to ſuffer that Precedent to be introduced into the Houſe, "That Men ſhould Proteſt againſt the Senſe of the "Houſe: which, it is true, had not been uſed in the Houſe of Commons. This Subject was the more grateful to them, becauſe they ſhould heartily take Revenge upon Mr *Hyde*, whom they perfectly hated; and to whoſe activity, they imputed the trouble they had ſuſtain'd the day before; and He was the Firſt who made the Proteſtation, that is, ask'd leave to do it; which produced the other ſubſequent clamour, that was indeed in ſome diſorder. But here they differ'd amongſt themſelves; all the Leading Violent Men, who bore the greateſt Sway, were moſt glad of the occaſion, as it gave them opportunity to be rid of Mr *Hyde*; which they Paſſionately deſired: but Sr *John Hotham*, *Cholmondley*, and *Stapleton* (who never ſever'd, and had a numerous Train attending their motions) remember'd the Service Mr *Hyde* had done againſt the Court of *York* (the overthrowing whereof was their peculiar glory) and would not conſent that they ſhould queſtion him; but were ready to concur with them in the Proſecution of any other of the Proteſtors; whereof there was number enough. This made ſo great a Difference amongſt them, that for the preſent they agreed no further, than, "That they would that Afternoon only provide, that "the next Morning they would fall upon that matter; and then they might conſult together at Night, what Perſon they would Sacrifice.

About Three of the Clock, when the Houſe met, Mr *Pym* "Lamented the Diſorder of the Night before, which, "he ſaid, might probably have engaged the Houſe in Blood, "and had proceeded principally from the offering a Proteſta- "tion; which had never before been offer'd in That Houſe; "and was a tranſgreſſion that ought to be ſeverely examin'd, "that Miſchief might not reſult hereafter from that Prece- "dent: and therefore propoſed, That the Houſe would the "next Morning enter upon that Examination; and in the

"mean

"mean time, Men might recollect themſelves, and They who "uſed to take Notes, might peruſe their Memorials; that "the Perſons who were the chief cauſes of the Diſorder, "might be named, and defend themſelves the beſt they could: and with this reſolution the Houſe aroſe; the vexation of the night before, being very viſible in the looks and countenance of many. Neither that nights Deliberation, nor all the Artifice or Importunity that could be uſed, could remove the obſtinate Northern Men from their reſolution; They declared poſitively, "That if they Proſecuted Mr *Hyde*, They, "and all their Friends, would engage in his Defence: which made the Others reſolve, not to incur the danger or inconvenience of ſuch a Schiſm; and ſo they unanimouſly agreed upon another Perſon, whom they would accuſe.

THE next Morning, They firſt enlarged upon the Offence it ſelf; "Of the Miſchief it had like to have produced; and "would unavoidably produce, if the cuſtom or liberty of it "were ever admitted; That it was the Firſt time it had ever "been offer'd in That Houſe; and that care ought to be "taken, that it ſhould be the Laſt; by the ſevere Judgment "of the Houſe, upon Thoſe Perſons who had begun the Preſumption.

Mr HYDE, who had then known nothing of the Private conſultation; and had many reaſons to believe Himſelf to be deſign'd; ſtood up (notwithſtanding ſome Signs made to him at a diſtance by his Northern Friends, which he underſtood not) and ſaid "It concern'd him to Juſtify what he had done, "being the Firſt Man who mention'd the Proteſtation: upon which, there was a general Noiſe and Clamour "To With-"draw; and as great, "To Speak: He proceeded, and ſaid, "He was not old enough to know the Ancient Cuſtoms of "That Houſe; but, that He well knew, it was a very An-"cient Cuſtom in the Houſe of Peers; and Leave was never "denied There to any Man, who ask'd that he might Proteſt, "and enter his Diſſent, againſt any Judgment of the Houſe, "to which he would not be underſtood to have given his "Conſent: That He did not underſtand any reaſon, why a "Commoner ſhould not have the ſame Liberty, if he deſired "not to be involv'd in any Vote, which he thought might "poſſibly be Inconvenient to him. That He had not offer'd "his Proteſtation againſt the Remonſtrance, though he had "oppoſed it all he could, becauſe it remain'd ſtill within "thoſe Walls; That he had only deſired leave to Proteſt "againſt the Printing it; which, He thought, was not in "many reſpects Lawful for Them to do; and might prove "very Pernicious to the Publick Peace.

THEY were very much offended with all he ſaid, and his aſſurance

assurance in speaking; and Mr *Strode* could not contain himself from saying, "That That Gentleman had confess'd that "He had first propos'd the Protestation; and therefore de- "sired, He might withdraw; which many Others likewise call'd for: till Sr *John Hotham* appear'd with some warmth against it; and young *Hotham*, his Son, accus'd *Jeffery Palmer* "Of giving the cause of Disorder, by saying, *I do Protest*, "without asking the leave of the House; and encouraging "Others to cry out every Man, *I do Protest*: whereupon, They all fell into great Noise and Confusion; and so, without much more discourse, Mr *Palmer* was call'd upon "To Explain; which, as he was about to do, Mr *Hyde* (who lov'd him much; and had rather have suffer'd Himself, than that He should) spoke to the Orders of the House; and said "That "it was against the Orders and Practice of the House, that "any Man should be call'd upon to Explain, for any thing "he said in the House two days before; when it could not "be presumed, that his own Memory could Recollect all the "words he had used; or, that any body else could Charge "him with them; and appeal'd to the House, whether there "was any Precedent of the like. And there is no doubt, there never had been; and it was very irregular. But they were too positively resolv'd to be diverted; till, after two hours Debate, He himself desired, "That, to save the House "further trouble, he might Answer, and withdraw; which he did. When it drew towards Night, after many hours Debate, it was order'd, "That he should be committed to the "Tower; the Angry Men pressing, with all their Power, "that he might be Expell'd the House; having born him a long grudge; for the Civility he shew'd in the Prosecution of the Earl of *Strafford*; that is, that He had not used the same reproachful Language which the Others had done: but They were at last glad to compound for his bare Commitment to the Tower; from whence he was within few days enlarged, and return'd again to the House. In the close of that day, and the rising of the House, without much opposition, They obtain'd an Order for the Printing their Remonstrance.

The Remonstrance order'd to be Printed.

THAT Remonstrance, after many clauses and unbecoming expressions were cast out, contain'd, "That there had been "from the beginning of his Majesty's Reign, a Malignant "and Pernicious Design, of Subverting the Fundamental "Laws and Principles of Government, upon which the Re- "ligion and Justice of the Kingdom was Establish'd: That "the Actors and Promoters thereof, were the Jesuited Papists; "the Bishops, and Corrupt part of the Clergy; and such "Counsellors and Courtiers, as had engaged themselves to "further

The substance of it.

"Further the Intereſts of ſome Forreign Princes or States, to "the Prejudice of the King and State at Home: All which "had endeavour'd to raiſe Differences and Diſcontents be- "twixt the King and his People, upon queſtions of Preroga- "tive and Liberty; to Suppreſs the Purity of Religion, and "ſuch Men as were beſt affected to it, as the greateſt Impe- "diment to that Change which They thought to introduce; "to cheriſh and maintain thoſe Opinions in Religion, which "brought Ours neareſt and moſt agreeable to the Papiſts; "and to continue, multiply, and enlarge the Differences be- "tween the Proteſtants themſelves, diſtinguiſhing between "Proteſtants and Puritans, by introducing and countenancing "ſuch Opinions and Ceremonies, as were fitteſt for accom- "modation with Popery; that ſo, of Papiſts, Arminians, and "Libertines, They might compoſe a Body, fit to act ſuch "Counſels and Reſolutions, as were moſt conducible to "their Own Ends: And laſtly, to render the King Diſaffect- "ed to Parliaments, by Slanders and Falſe Imputations, and "ſo putting Him upon other ways of Supply, as of more ad- "vantage than the ordinary courſe of Subſidies; which brought "infinite Loſs to the King and People, and cauſed the Di- "ſtractions that enſued.

They remember'd "The Breach of the Parliament at *Ox-* "*ford* in the firſt year of his Majeſty's Reign; and reproach'd "him with the Fruitleſs Voyage to *Cadiz*, at his firſt coming "to the Crown; the Loſs of *Rochel*, by firſt ſuppreſſing "Their Fleet with his Own Royal Ships, by which the Pro- "teſtant Religion in *France* infinitely Suffer'd; the making "a War with *France* precipitately, and a Peace with *Spain*, "without Their Conſent, and ſo deſerting the Cauſe of the "*Palatinate*; and with a Deſign to bring in *German* Horſe, "to force the Kingdom, by Violence, to Submit to ſuch Arbi- "trary Contributions, as ſhould be required of them.

They remember'd him "Of Charging the Kingdom by "Billeting of Soldiers, and by raiſing of Coat and Conduct "Money for thoſe Soldiers, in the Second and Third years "of his Reign; of his Diſſolving the Parliament, in his Se- "cond year, after Their Declaration of an intent to grant "Five Subſidies; and the exacting thoſe Five Subſidies after- "wards by a Commiſſion of Loan; upon the refuſal whereof, "divers Gentlemen were Impriſon'd, whereof ſome Died, "by the Diſeaſes they contracted in that Impriſonment; of "great Sums raiſed by Privy-Seals; and of an attempt to ſet "the Exciſe on foot.

They remember'd "The Diſſolution of the Parliament in "the Fourth year of his Reign, and the Untrue and Scanda- "lous Declarations thereupon; the Impriſoning divers Mem-

"bers

" bers of that Parliament after the Diſſolution, and detaining " them cloſe Priſoners for Words ſpoken in Parliament, Sen- " tencing and Fining them for thoſe Words; One of which " died in Priſon for want of Ordinary refreſhment, whoſe " Blood (They ſaid) ſtill cry'd for Vengeance.

THEY reproach'd his Majeſty " With Injuſtice, Oppreſ- " ſion, and Violence, which, after the Breaking of that Parlia- " ment, broke in upon them, without any reſtraint or mode- " ration; with the great Sums of Money He had exacted " throughout the Kingdom for default of Knighthood, in the " Fourth year of his Reign; with the receiving Tonnage and " Poundage, from the death of King *James*; and raiſing the " Book of Rates, and laying New Impoſition upon Trade; " with the Enlargement of Forreſts, and Compoſitions there- " upon; the ingroſſing Gun-powder, and ſuffering none to " buy it without Licence; with all the moſt odious Mono- " polies of Soap, Wine, Salt, Leather, Sea-coal, and the reſt (which had been granted from his Majeſty's firſt coming to the Crown, and ſome of them before) " With the new Tax " of Ship-money, and the ill guarding the Seas, and leaving " the Merchants naked to the violence of the *Turkiſh* Pirates, " notwithſtanding that extraordinary and extravagant Supply; " with the Vexations upon pretence of Nuiſances in Building, " and thereupon raiſing great Sums of Money for Licences to " Build; and of Depopulation, that men might pay Fines to " continue the ſame miſdemeanor; with the Seizing the Mer- " chants Money in the Mint; and an abominable Project of making Braſs Money.

THEY repeated " The extravagant Cenſures of the Star- " Chamber, whereby the Subject had been oppreſs'd, by Fines, " Impriſonments, Stigmatizing, Mutilations, Whippings, Pil- " lories, Gags, Confinements, Baniſhments; the Severe and " Illegal Proceedings of the Council-Table, and Other new " erected Judicatories; and the Suſpenſions, Excommunica- " tions, and Deprivations, of Learned and Pious Miniſters, " by the High Commiſſion Court; which grew to that Exceſs " of Sharpneſs and Severity, that They ſaid it was not much " leſs than the *Romiſh* Inquiſition.

THEY reproach'd the King " With the Liturgy and Canons " ſent into *Scotland*, as an Attempt upon the Proteſtant Re- " ligion; with the Forcing that Nation to raiſe an Army in " Their Own Defence, and raiſing an Army againſt Them; " with the Pacification, and Breach of that Pacification; that " He call'd a Parliament after, in hope to corrupt it, and " make it Countenance the War with *Scotland*, which when " He found it would Not do, he Diſſolv'd it, and then com- " mitted Members to priſon; and compell'd men to lend

" Money

"Money againſt their wills; and Impriſon'd ſuch as refuſed.

THEY mention'd "The Synod held by the Biſhops after "the end of the Parliament, and the Canons and Oaths made "by them; the raiſing the Armies, Here and in *Ireland*, "againſt the *Scots*; and the liberal Collection and Contribu-"tion from the Clergy, and the Catholicks, towards that "War; all the Favours that had been done to the Papiſts; "the Reception and Entertainment of Seignior *Con*, and the "*Comte Rozetti*, by the Queen, from *Rome*; and ſome Mini-"ſters ſent by her Majeſty thither.

IN a word, They left not any Error or Misfortune in Government; or any Paſſionate Exerciſe of Power, unmention'd, or unpreſs'd; with the Sharpeſt, and moſt Pathetical Expreſſions to affect the People, that the general obſervation of the Wiſeſt, or the particular Animoſity of the moſt Diſobliged, or ill Affected perſons, could ſuggeſt, to the Diſadvantage of the King; from the death of his Father, to the unhappy beginning of the preſent Parliament:

THEN They magnified their own Services: "That hav-"ing found the Kingdom groaning under theſe Difficulties, "which ſeem'd to be inſuperable, They had, by the Divine "Providence overcome them all; That They had aboliſh'd "Ship-money, and all Monopolies; and had taken away "that which was the Root of all thoſe Evils, the Arbitrary "Power of Taxing the Subject, pretended to be in the King: "That the Living Grievances, the Evil Councellors, were ſo "quell'd, by the Juſtice done on the Earl of *Strafford*; the "Flight of the Lord *Finch*, and Secretary *Windebank*; the "Accuſation and Impriſonment of the Arch-Biſhop of *Can-*"*terbury*, and other Delinquents; that it was not like to be "only an Eaſe to the preſent Times, but a Preſervation to the "Future.

THEY reckon'd up "All the Good Laws, and the Benefit "the People receiv'd by thoſe Laws; ſpoke of many Good "Deſigns They had for the Benefit of the Kingdom: But then Complain'd "Of Oppoſitions, and Obſtructions, and "Difficulties, with which They were encounter'd, and which "ſtill lay in their Way, with ſome ſtrength, and much obſti-"nacy; That there was a Maglignant Party took heart again, "that Preferr'd ſome of their own Agents and Factors, to "Degrees of Honour, and to Places of Truſts and Employ-"ment. That They had endeavour'd to work in his Majeſty "ill Impreſſions and Opinions of Their proceedings; as if "They had done altogether Their Own Work, and not His; "and had obtain'd many things from him Prejudicial to the "Crown, in reſpect of Prerogative, and Profit. To wipe "out which Slander, They declared, all They had done was

"for

"for his Majesty, his Greatness, Honour, and Support: That, "when They gave five and twenty thousand pounds a Month, "for the relief of the Northern Counties, in the support of "the *Scotish* Army, It was given to the King, for that He "was bound to Protect his Subjects; and that, when They "undertook the charge of the Army, which cost above fifty "thousand pounds a Month, It was given to the King, for "that it was his Majesty's Army, and the Commanders and "Soldiers under contract with Him; and that, when They "undertook to Pay their Brethren of *Scotland* three hundred "thousand pounds, It was to repair the Damages and Losses "They had sustain'd by his Majesty and his Ministers; and "that those particulars, amounted to above Eleven hundred "thousand pounds.

THEN They negligently and perfunctorily pass'd over his Majesty's Graces and Favours, "As being little more than in "Justice He was obliged to grant; and of no considerable "Loss and Damage to Himself: and promised the good Peo-"ple shortly Ease in the matter of Protections (by which, "the Debts from Parliament men, and their Followers and "Dependents, were not recoverable) and speedily to pass a "Bill to that purpose.

THEN They inveigh'd against the Malignant Party, "That "had fought to cause Jealousies between Them and their "Brethren of *Scotland*; and that had such a Party of Bishops "and Popish Lords in the House of Peers, as hinder'd the "Proceedings of divers good Bills, Pass'd in the Commons "House, concerning sundry great Abuses and Corruptions "both in Church and State (when, at that time, the House of Peers had only refused to concur with them in Two Bills, that, of the Protestation; and, the taking away the Votes of Bishops out of the House of Peers) "That had attempted "to Disaffect and Discontent his Majesty's late Army, and "to bring it up against the Parliament, and City of *London*; "that had raised the Rebellion in *Ireland*; and, if not by "Their Wisdom prevented, had brought the like Misery "and Confusion in this Kingdom.

THEN They declared, "That They meant to have a ge-neral Synod, of the most Grave, Pious, Learned, and Judi-"cious Divines, of this Island (when at that time, there was scarce one Orthodox Divine of *England* in reputation with them) "Who, assisted by some from Forreign Parts, profes-"sing the same Religion, should consider of all things neces-"sary for the Peace and good Government of the Church; "and present the result of their Consultations to the Parlia-"ment, to be there allow'd and confirm'd: That They "would provide a competent Maintenance for Conscientious

"and

"and Preaching Ministers, throughout the Kingdom: That "They intended to Reform and Purge the Fountains of "Learning, the two Universities; that the Streams flowing "from thence might be clear and pure, and an Honour and "Comfort to the whole Land: That his Majesty should be "Petition'd by both Houses, to employ such Counsellors, "Embassadors, and other Ministers, in managing his business "at home and abroad, as the Parliament have cause to con- "fide in; without which, They could not give his Majesty "such Supplies for His Own support, or such Assistance for "the Protestant Party beyond the Seas, as was desired.

WITHAL They declared, "That the Commons might "have cause, often, Justly to take Exceptions at some Men "for being Counsellors, and yet not charge those Men with "Crimes; for that there are grounds of Diffidence, which "lye not in Proof; and others, which though they may be "Proved, yet are not Legally Criminal; as to be a known "Favourer of Papists; or to have been very forward in De- "fending or Countenancing some great Offenders, question'd "in Parliament; or to speak Contemptuously of Either House "of Parliament, or Parliamentary Proceedings; or Such as "are suspected to get Counsellors Places, or any other of "trust concerning Publick Employment, for Money: That "all good courses may be taken, to Unite the two Kingdoms "of *England* and *Scotland*; to be mutually aiding and assist- "ing one another, for the Common Good of the Island, and "the Honour of Both: With some other particulars of this nature.

The ways by which the Party grew in the House of Commons.

I KNOW not how Those men have already answer'd it to Their Own Consciences; or how they will answer it, to Him who can discern their Consciences; who having assumed their Countries Trust, and, it may be, with great Earnestness labour'd to procure that Trust, by their Supine Laziness, Negligence, and Absence, were the First Inlets to those Inundations; and so contributed to those Licences which have overwhelm'd us. For by this means, a Handful of men, much inferior in the beginning, in number and Interest came to give Laws to the Major part; and to shew that Three Diligent persons, are really a Greater and more Significant number, than Ten Unconcern'd, They by Plurality of Voices, in the end, converted or reduced the Whole Body to Their opinions. It is true, Men of Activity and Faction, in any design, have many Advantages, that a Composed and Settled Council, though industrious enough, usually have not; and some, that Gallant men cannot give themselves leave to entertain: for. besides Their Through considering and forming their Counsels before they execute them; They contract a habit

habit of ill Nature and Disingenuity necessary to Their affairs, and the temper of Those upon whom they are to work, that Liberal-minded men would not perswade themselves to entertain, even for the Prevention of all the Mischief the Others intend. And whosoever observes the ill Arts by which These men used to prevail upon the People in general; Their absurd, ridiculous Lying, to win the affections, and corrupt the understandings of the Weak; and the bold Scandals, to confirm the Wilful; the boundless Promises They presented to the Ambitious; and Their gross, abject Flatteries, and Applications to the Vulgar-spirited; would hardly give himself leave to use those Weapons, for the Preservation of the Three Kingdoms.

THE King had at that time a greater Disadvantage (besides the concurrence of ill and extraordinary accidents) than Himself, or any of his Progenitors, had ever had before; having no Servant of the House of Commons, of Interest, Ability, and Reputation, and of Faithfulness and Affection to his Service: Sr *Thomas Jermyn*, who was very Honest to him, and of good Abilities, through his indisposition of health, and trouble of mind for his Son's misfortune, having left the House, and the Court, and being retired into the Country: and Sr *Harry Vane* (who was the other only Privy-Counsellor) having committed those Faults to the King, he knew could not be forgiven; and those Faults to the Country, could not be forgotten; gave himself entirely to the disposition of his new Masters: and Mr *Saint-John*, who at the beginning was made Sollicitor General; and thereby, had obliged himself by a particular Oath, "To Defend his Majesty's Rights; and in no "case to be of Counsel, or give Advice, to the prejudice of "the King, and the Crown; was the Chief Instrument, to Devise and Contrive all the Propositions, and Acts of Undutifulness towards him. So that, whilst These men, and their Consorts, with the greatest deliberation, consulted, and disposed themselves to compass Confusion: They, who out of the most abstracted Sense of Loyalty to the King, and Duty to their Country, sever'd from any relations to the King's service, or hopes from the Court, preserv'd their own Innocence, and endeavour'd to uphold the good old frame of Government, receiv'd neither countenance nor conduct from Those who were naturally to have taken care of that province. And sure, the Raging and Fanatick Distemper of the House of Commons (to which all other distempers are to be imputed) must most properly be attributed, to the want of Such good Ministers of the Crown in that Assembly, as being Unaw'd by any Guilt of their Own, could have watch'd Other men's; and inform'd, encouraged, and influenced,

Thoſe, who ſtood well inclined to the Publick Peace.

To which purpoſe, if that Stratagem (though none of the beſt) of winning men by Places, had been practiſed, aſſoon as the reſolution was taken at *York* to call a Parliament (in which it was apparent, dangerous attempts would be made; and that the Court could not be able to reſiſt thoſe attempts) and if Mr *Pym*, Mr *Hambden*, and Mr *Hollis*, had been then Preferr'd, with Mr *Saint-John*; before they were deſperately embark'd in their deſperate deſigns; and had Innocence enough about them, to truſt the King, and be truſted by him; having yet contracted no Perſonal animoſities againſt him: it is very poſſible, that They might either have been made Inſtruments to have done good Service; or at leaſt been reſtrain'd, from endeavouring to Subvert the Royal Building, for ſupporting whereof They had been placed as principal Pillars.

But the Rule the King gave himſelf (very reaſonable at any other time) that They ſhould Firſt do Service, and compaſs this or that thing for him, before they ſhould receive Favour, was Then very unſeaſonable: ſince, beſides that They could not in truth do him that Service without the qualification, it could not be expected They would deſert that Side, by the Power of which They were ſure to make themſelves conſiderable, without an unqueſtionable mark of intereſt in the Other, by which They were to keep up their Power and Reputation: and ſo, whilſt the King expected They ſhould manifeſt their inclinations to His Service, by their Temper and Moderation in thoſe Proceedings that moſt offended him; and They endeavour'd, by doing all the Hurt they could, to make evident the Power They had to do him Good; He grew ſo far Diſobliged, and provoked, that he could not in Honour Gratify them; and They ſo Obnoxious, and Guilty, that they could not think themſelves Secure in his Favour: and thence, according to the Policy and Method of Injuſtice, continued to Oppreſs that Power They had Injured; and to raiſe a Security for Themſelves, by Diſabling the King to queſtion their Tranſgreſſions.

The King's Reception in London upon his return out of Scotland, Nov. 25.

Notwithstanding all theſe Contrivances to Leſſen the Reputation of the Court (to which many other particulars contributed; which will be touch'd hereafter) The City of *London* made great Preparations to receive the King. *Gourney*, then Lord Mayor, was a man of Wiſdom and Courage; and expreſs'd great Indignation, to ſee the City ſo Corrupted, by the ill artifice of Factious perſons; and therefore attended upon his Majeſty, at his entrance into the City, with all the Luſtre and good Countenance it could ſhew; and as great profeſſions of Duty, as it could make, or the

the King expect. And on *Thursday*, the Five and Twentieth of *November*, the King entred into *London*; receiv'd with the greatest acclamations of joy, that had been known upon any occasion; and after a most magnificent Entertainment by Sr *Richard Gourney* Lord Mayor, at the *Guild-Hall*; where the King, Queen, Prince, and the whole Court, of Lords and Ladies, were Feasted; his Majesty was attended by the whole City to *White-Hall*; where he lodg'd that night; and the Earl of *Essex* resign'd his Commission, of General on this side *Trent*; which had been granted for the Security of the Kingdom, at his Majesty's going into the North.

THE next day, the King went to *Hampton-Court*; and assoon as he came thither, took away the Seals from Sr *Henry Vane* (having before taken away his Staff of Treasurer of the Household from him, and conferr'd it upon the Lord *Savile*, in lieu of the Presidentship of the North; which he was to have had, if Both Houses had not declar'd that Commission to be illegal) and appointed the Guards, that were kept at *Westminster* for the Security of the two Houses, ever since the News out of *Scotland*, to be dismiss'd; and shortly after publish'd a Proclamation, "For Obedience to be given to the "Laws establish'd, for the exercise of Religion.

Sir H. Vane turn'd out from being Secretary of State.

THESE proceedings of his Majesty, much troubled the Managers in the House; and the Entertainment given to him by the City of *London*, in which Their entire confidence was, much dejected them; and made them apprehend, their Friends There were not so Powerful as They expected; However, They seem'd to abate nothing of their mettal; and shortly after his return, resolv'd to present Their Remonstrance, lately framed, to him, together with a Petition; in which, They complain'd "Of a Malignant Party, which pre- "vail'd so far, as to bring divers of Their Instruments to be "of his Privy-Council; and in other employments of trust "and nearness about his Majesty, the Prince, and the rest "of his Children: to which Malignant Party, amongst other "wickedness, They imputed the insurrection of the Papists in "*Ireland*; and therefore, for the Suppressing that Wicked and "Malignant Party, They besought his Majesty, that He would "concur with his People, in a Parliamentary way, for the "depriving the Bishops of their Votes in Parliament (when at that time the Bill to that purpose had not pass'd the House of Peers) "and abridging Their immoderate power over the "Clergy; and for the removing unnecessary Ceremonies, by "which divers weak Consciences had been scrupled; That "He would remove from his Council Such Persons, as per- "sisted to favour any of those Pressures wherewith the Peo- "ple had been griev'd; and that He would for the future

A Petition presented to the King, together with the Remonstrance, on Decemb. 1. and Printed.

"employ Such persons in the Publick affairs, and take Such "to be near him in Places of trust, as his Parliament might "have cause to confide in; and that He would reject, and "refuse, all mediation and sollicitation to the contrary, how "powerful and near soever; That He would forbear to alienate "any of the Forfeited and Escheated Lands in *Ireland*, which "should accrew to the Crown by reason of this Rebellion. "Which Desires of Theirs being graciously fulfill'd by his "Majesty (They said) They would apply themselves to such "Courses and Counsels, as should support his Royal Estate, "with Honour and Plenty at home, with Power and Repu-"tation abroad; and by Their Loyal Affections and Ser-"vice, lay a sure and lasting foundation of the Greatness and "Prosperity of his Majesty, and his Royal Posterity in future "times.

THIS Petition, together with the Remonstrance, was presented at *Hampton-Court*, on the First day of *December*; and within few days after, both the Petition and Remonstrance were by Order Printed, and with great industry Publish'd throughout the Kingdom: Albeit the King, at the receipt thereof, desired them not to publish either, till He should send his Answer; which he did shortly after, expressing;

The King's Answer to the Petition.

"HOW sensible He was of that Disrespect; reprehending "them for the Unparliamentariness of their Remonstrance in "Print; whereof (He said) "He would reserve to himself "to take such course, as He should think fit, in Prudence "and Honour. But to their Petition, He told them, "That "if They would make that Wicked and Malignant Party, "whereof they complain'd, known to his Majesty, He would "be as ready to Suppress and Punish it, as they could be to "Complain; That by those Counsellors whom He had ex-"posed to Trial, He had given sufficient testimony, that there "was no Man so near him, in place or affection, whom he "would not leave to the Justice of the Law, if They should "bring sufficient Proofs, and a particular Charge against him; "in the mean time, He wish'd them to forbear such general "Aspersions, as since they named None in Particular, might "reflect upon All his Council; That for the Choice of his "Counsellors, and Ministers of State, it was the Natural Li-"berty all Freemen have, and the undoubted Right of the "Crown, to call Such to his Secret Council, and Publick Em-"ployment, as He should think fit; yet He would be care-"ful to make election of Such, as should have given good "testimonies of their Abilities and Integrity, and against "Whom there could be no just cause of Exception; That for "the depriving the Bishops of their Votes in Parliament, "They should consider, that Their Right, was grounded

"upon

"upon the Fundamental Law of the Kingdom, and Consti-
"tution of Parliament.

"For what concern'd Religion, Church Government,
"and the removing unneceſſary Ceremonies, if the Parliament
"ſhould adviſe him to call a National Synod, He ſhould con-
"ſider of it, and give them due ſatisfaction therein; decla-
"ring His Reſolution, to maintain the Doctrine and Diſci-
"pline eſtabliſh'd by Law, as well againſt all invaſions of Po-
"pery as from the irreverence of Schiſmaticks and Separa-
"tiſts; wherewith, of late, this Kingdom, and this City
"abounds, to the great diſhonour and hazard both of Church
"and State; for the Suppreſſion of whom, his Majeſty re-
"quired Their timely and Active Aſſiſtance.

"To their deſire concerning *Ireland*, He told them, He
"much doubted, whether it were Seaſonable to declare reſo-
"lutions of that nature, before the events of the War were
"ſeen; however, He thanked them for their advice; and
"conjur'd them, to uſe all poſſible diligence and expedition in
"advancing the Supplies thither; the Inſolence and Cruelty
"of the Rebels daily increaſing.

The graciouſneſs and temper of this Anſwer, made no impreſſion on them; but they proceeded in their uſual manner; framing and encouraging, underhand, thoſe whiſpers, by which the Rebellion in *Ireland*, might be underſtood to receive ſome extraordinary countenance from the Court of *England*, the ſcandal whereof, They knew, would quickly fall upon the Queen.

At this time, the diligence and dexterity of the Lord Mayor, cauſed an Addreſs to be prepar'd to his Majeſty, from the Court of Aldermen; which was ſent by the two Sheriffs, and two others of that Body; by which, "His Majeſty was "humbly deſired to reſide at *White-Hall*, which angred the Governing Party, as much as their kind reception had done. The Petition was graciouſly receiv'd; all the Aldermen Knighted; and the Court, within a day or two, remov'd to *White-Hall*.

Affairs in Ireland.

The Letters out of *Ireland* were very importunate for Relief, of Men, Money, and Proviſions; the Rebels very much increaſing and taking Courage, from the ſlow proceeding here for their Suppreſſion: which indeed was not advanced equal to Mens expectations; though the King, upon his firſt coming to the Houſes after his return from *Scotland*, with great earneſtneſs recommended it to them. Only, the Propoſitions made from *Scotland*, "For the ſending ten thouſand Men from "thence, into *Ulſter*, to be paid by the Parliament, were conſented to; whereby ſome Soldiers were diſpatch'd thither, to defend their own Plantation; and did in truth, at our

Charge, as much Oppreſs the *Engliſh* that were There, as the Rebels could have done; and had upon the matter the ſole Government of that Province committed to them, the chief Towns and Garriſons which were kept by *Engliſh* being deliver'd into their Hands. The Lieutenant himſelf, the Earl of *Leiceſter* (who was now grown gracious to the Managers) made not that haſte to his Charge ſome Men thought neceſſary; pretending "That the Rebels had yet ſome apprehenſions and terrour of His coming thither with great "Forces and Proviſions of all kinds; but that if they ſhould "hear He were Landed with ſo ſmall a Strength as was "yet raiſed, and in no better Equipage than he was yet able "to go in, They would take Courage and would Oppreſs "him, before more Succours could come; by reaſon, that "They who yet ſtood upon their guard, and publickly ſided "not with Either (till, by the reſiſtance and oppoſition They "found prepared for them, they might gueſs who was like "to prevail) would then freely declare, and joyn with the "reſt.

A Bill prepared in the Houſe of Commons for Preſſing men for Ireland.

THE ſlow levying of Men, was imputed to the difficulty of getting Voluntiers; their numbers, who had Commiſſion, upon beating Drums, riſing very inconſiderably; and therefore, They prepar'd a Bill for Preſſing; which quickly paſs'd the Commons, and was ſent up to the Lords. It cannot be ſuppoſed, that there could be then a ſcarcity of Men, or that it could be hard, within three Months after the Disbanding the Northern Army, to bring together as many Men as they had occaſion to uſe: but their buſineſs was to get Power, not Men; and therefore this Stratagem was uſed, to transfer the Power of Preſſing Men from the King to Themſelves; and to get the King, that He might be now Able to raiſe Men for *Ireland*, to Diſable himſelf from Preſſing upon any other occaſion. For, in the Preamble of this Bill which they ſent up to the Lords (as they had done before the firſt Act for Tonnage and Poundage) they declared, "That "the King had in no caſe, or upon any occaſion, but the Invaſion from a Forreign Power, Authority to Preſs the Free-"born Subject; which could not conſiſt with the Freedom "and Liberty of his perſon.

The Preamble of the Bill, as it came from the Commons, excepted againſt in the Houſe of Lords.

THIS doctrine was new to the Lords, and contrary to the uſage and cuſtom of all times; and ſeem'd to Them a great Diminution of that Regal Power, which was neceſſary for the Preſervation of his own Subjects, and Aſſiſtance of his Allies; which in many caſes he was bound to yield. And the Atturney General took the Courage, "To deſire the Lords "(as He ſhould often have done in other caſes) "That He "might be heard, on the King's behalf, before They con-

"ſented

"sented to a Clause so Prejudicial to the King's Prerogative. This necessary stop was no sooner made, than the Commons laid aside the Consideration of *Ireland*; order'd their Committee, "To meet no more about that business; the Levies which were then making of Voluntiers, stood still; and They declared, "That the Loss of *Ireland* must be imputed to "the Lords. On the other side, the Lords too well understood that Logick, to be moved by it; and were rather sensible of the inconveniencies They had incurr'd, by their former Compliance, than inclined to repeat the same error.

In the mean time, Letters came every day from *Ireland*, passionately bemoaning Their Condition; and multitudes of Men, Women, and Children, who were despoil'd of their Estates, and forced into this Kingdom for want of Bread, spoke more lamentably than the Letters. In this strait, they knew not what to do; for whatever discourse they pleased themselves with, concerning the Lords, it was evident the Fault would lie at their Own doors; besides that, his Majesty might make use of that occasion, to take the whole business out of Their Hands, and manage it Himself by his Council: which would both lessen their Reputation and Interest, and indeed defeat much of what They had projected.

Saint-John *advises the King to offer an Expedient.*

Hereupon, Mr *Saint-John*, the King's Sollicitor (a Man that might be trusted in any Company) went privately to his Majesty; and seem'd to Him much troubled, "At the Interruption given by the Commons; and to grant, that the "Preamble was unreasonable, and ought to be insisted a-"gainst by the Lords, on the behalf of his Majesty's Prero-"gative: However, He told him, since He thought it impos-"sible to rectify the Commons in their understandings, it "would be a great blessing to his Majesty, if He could offer "an expedient to remove that Rub, which must prove fatal "to *Ireland* in a short time; and might grow to such a Dis-"union between the two Houses, as might much cloud "the Happiness of this Kingdom; and undoubtedly, could "not but have a very Popular Influence upon both, when "both Sides would be forwarder to acknowledge his Ma-"jesty's great Wisdom and Piety, than they could be now "made to retract any thing that was Erroneous in Them-"selves: and then "Advised him to come to the Houses; and "to express his Princely Zeal for the relief of *Ireland*; and "taking notice of the Bill for Pressing, depending with the "Lords, and the Dispute raised, concerning that ancient and "undoubted Prerogative, to avoid further Debate, to offer, "that the Bill should pass with a *Salvo Jure*, both for the "King and People; leaving such Debates to a time that might "better bear it.

The King puts it in practice.

WHICH advice his Majesty follow'd; and coming to the House said the very words he had proposed to him. But now Their Business was done (which truly, I think, no other way could have been compass'd) the divided Lords and Commons presently Unite themselves, in a Petition to the King;

The Lords and Commons declare this to be a Breach of Privilege, in a Petition to the King.

"acknowledging his Royal Favour and Protection to be a "great Blessing and Security to Them, for the enjoying and "preserving all those private and publick Liberties and Pri- "veleges which belong unto them; and whensoever any of "those Liberties or Priveleges should be invaded, They "were bound, with humility and confidence, to resort to his "Princely Justice for Redress and Satisfaction; because the "Rights and Privileges of Parliament, were the Birth-right "and Inheritance, not only of Themselves, but of the whole "Kingdom, wherein every one of his Subjects was interess'd. "That amongst the Privileges of Parliament, it was Their "ancient and undoubted Right, that his Majesty ought not "to take notice of any matter in Agitation and Debate, in "either House of Parliament, but by their information and "agreement; and that his Majesty ought not to propound "any Condition, Provision, or Limitation, to any Bill, or Act, "in Debate or Preparation, in either House of Parliament; or "to declare His consent or dissent, His approbation or dislike, "of the same, before it be presented to him in due course of "Parliament. They declared, That all those Privileges had "been lately broken, to Their great sorrow and grief, in that "Speech which his Majesty had made to them; wherein He "took notice of a Bill for Pressing of Soldiers, not yet agreed "upon; and offer'd a *Salvo Jure*, and provisional Clause, to "be added to it, before it was presented to him: and there- "fore they besought Him, by his Regal Power to Protect "them, in Those and the Other Privileges of his High "Court of Parliament; and that He would not, for the time "to come, break or interrupt them; and that, for the Re- "paration of them in that their Grievance and Complaint, "He would declare and make known the Name of such Per- "son, by whose misinformation, and Evil Counsel, his Ma- "jesty was induced to the same, that he might receive con- "dign Punishment. And this, They did desire, and as his "greatest and most faithful Council, did advise his Majesty "to perform; as a great advantage to Him, by procuring and "confirming a Confidence and Unity betwixt his Majesty and "his People, *&c.*

AND having deliver'd this Petition, They no more consider'd *Ireland*, till this manifest Breach should be repair'd; which they resolv'd nothing should do, but the Passing the Bill: and therefore, when the King offer'd, by a Message sent by

by the Earl of *Eſſex*, "That He would take care, by Com-"miſſions which he would grant, that ten thouſand *Engliſh* "Voluntiers, ſhould be ſpeedily raiſed for the Service of *Ire-*"*land*, if the Houſes would declare that They would Pay "them; the Overture was wholly rejected: They neither being willing that ſuch a Body of Men ſhould be raiſed by the King's direction (which would probably be more at His devotion than They deſir'd) nor in any other way than They propoſed: and ſo in the end (after other ill Accidents intervening, which will be remember'd in order) He was compell'd to Paſs the Bill, concerning Preſſing, which They had prepared.

Whereupon, the Bill concerning preſſing, Paſs'd.

HOWEVER, for all this, and the better, it may be, for all this; the King, upon his arrival at *White-Hall*, found both his Houſes of Parliament of a much better Temper than they had been; Many having great indignation, to ſee his Majeſty ſo ill treated by his own Servants, and Thoſe, who were moſt obliged to his Bounty and Magnificence; and likewiſe to diſcern, how much Ambition and Private Intereſt, was cover'd under Publick Pretences. They who were in truth Zealous for the Preſervation of the Laws, the Religion, and true Intereſt of the Nation, were ſollicitous to Preſerve the King's Honour from any indignity, and his Regal Power from Violation; and ſo always oppoſed Thoſe who intrenched upon either, and who could compaſs their ends by no other means than by trampling upon both. So that, in truth, that which was call'd the King's Party, in both Houſes, was made up of Perſons who were Strangers, or without any Obligation to the Court; of the beſt Fortunes, and the beſt Reputation, in their ſeveral Countries where they were known; as having always appear'd very Zealous in the maintenance of their juſt Rights, and Oppoſed, as much as in them lay, all illegal and grievous Impoſitions: whilſt His own Privy-Council (two or three only excepted) and much the greater number of all his own Servants, either publickly Oppoſed, or privately Betray'd Him; and ſo much the more virulently abhorr'd all Thoſe who now appear'd to carry on His Service, becauſe they preſumed to undertake, at leaſt endeavour (for they undertook nothing, nor look'd for any Thanks for their labour) to do that which Themſelves ought to have done; and ſo they were upon this diſadvantage, that whenever They preſs'd any thing in the Houſe, which ſeem'd immediately to advance the King's Power and Authority, ſome of the King's Council, or his Servants, moſt oppoſed it, under the notion "Of being Pre-"judicial to the King's Intereſt: whilſt they who had uſed to govern and impoſe upon the Houſe, made a ſhew of being

ing more modeſt, and yet were more inſolent; and endeavour'd, by ſetting new Counſels on foot, to entangle, and engage, and indeed over-reach the Houſe; by cozening them into Opinions which might hereafter be applicable to their Ends, rather than to purſue their old Deſigns, in hope to obtain in the End a Succeſs by their Authority. The Night of the Remonſtrance had humbled them in that point: and from that time, They rather contriv'd ways to Silence thoſe who oppoſed them; by traducing them abroad, or taking advantage againſt them in the Houſe, for any Expreſſions they uſed in Debate which might be miſ-interpreted; and ſo calling them to the Bar, or committing them to the Tower: which did in truth ſtrike ſuch a Terrour into the minds of many, that they forbore to come to the Houſe, rather than expoſe themſelves to many uneaſineſſes there.

A Propoſal in the Houſe of Commons, for a Committee to conſider of the preſent State and Power of the Militia:

THERE was at this time, or thereabout, a Debate ſtarted in the Houſe, as if by meer chance, which produced many Inconveniences after; and, if there had not been too many concurrent Cauſes, might be thought the ſole cauſe and ground of all the Miſchiefs that enſued. Upon ſome report or diſcourſe of ſome Accident, which had happen'd upon or in the Disbanding the late Army, an obſcure Member moved, "That the Houſe would enter upon the conſideration, Whe-"ther the Militia of the Kingdom was ſo Settled by Law, "that a ſuddain Force or Army could be drawn together, "for the Defence of the Kingdom if it ſhould be Invaded, or "to Suppreſs any Inſurrection or Rebellion if it ſhould be "attempted.

THE Houſe kept a long Silence after the motion, the newneſs of it amuſing moſt Men, and few in truth underſtanding the meaning of it; until one and another of the Members, who were leaſt taken notice of, ſeeming to be mov'd, by the weight of what had been ſaid, enlarg'd upon the ſame Argument: and in the end it was propoſed, "That a Com-"mittee might be appointed, to conſider of the preſent State "of the Militia, and the Power of it; and to prepare ſuch "a Bill for the Settling it, as might provide for the Publick "Peace, and for the Suppreſſing any Forreign Enemy, or Do-"meſtick Inſurrection.

This debated:

HEREUPON, They were inclined to nominate a Committee, to prepare ſuch a Bill as ſhould be thought neceſſary: Upon which, Mr *Hyde* ſpoke againſt the making any ſuch Committee; ſaid, "There could be no doubt, that the Power "of the Militia reſided in the King, in whom the Right of "making War and Peace was inveſted; that there had never "yet appeared any defect of Power, by which the Kingdom "had been in Danger, and we might reaſonably expect the "ſame

"fame Security for the future. With which the Houſe ſeem'd well ſatisfied, and compoſed, and inclined to go on upon ſome other Debate; until *Saint-John*, the King's Sollicitor, and the only Man in the Houſe of his Learned Council, ſtood up, and ſaid, "He would not ſuffer that Debate, in "which there had been ſo many weighty particulars men- "tion'd, to be diſcontinued without ſome Reſolution; That "He would be very glad there were that Power in the King "(whoſe Rights He was bound to defend) as the Gentleman "who ſpoke laſt ſeem'd to imagine; which for his part he "knew there was not; That the queſtion was not about "taking away Power from the King, which was veſted in "Him (which was his Duty always to oppoſe) but to enquire, "whether there be ſuch a Power in him, or any where elſe, "as is neceſſary for the Preſervation of the King and the "People, in many caſes that may fall out; and if there be "not, then to ſupply him with that Power and Authority; and ſaid, "He did take upon him with confidence to af- "firm, That there was a defect of ſuch Power and Authority: "He put them in mind, "How that Power had been executed "in the Age in which we live; That the Crown had granted "Commiſſions to great Men, to be Lord Lieutenants of "Counties; and They, to Gentlemen of Quality, to be their "Deputy Lieutenants; and to Colonels, and other Officers, "to conduct and liſt Soldiers; and then He wiſh'd them to "conſider, what Votes they had paſs'd, of the illegality of "all thoſe Commiſſions, and of the unjuſtifiableneſs of all "the Proceedings which had been by Virtue of thoſe Com- "miſſions; So that let the Occaſion or Neceſſity be what it "would, He did preſume, no Man would hereafter Execute "any ſuch Commiſſion; and if there were any Man ſo hardy, "that no body would Obey them; and therefore deſir'd Them "to conſider, whether there be not a Defect of Power, and "whether it ought not to be ſupply'd.

and Soll. Gen. Saint-John *declares the Power of it Not to be in the King:*

It was now evident enough, that the Debate was not begun by chance, but had been fully deliberated; and what uſe they would make upon occaſions, of thoſe Volumes of Votes, They had often poured out upon all accidental Debates; and no Man durſt take upon him to Anſwer all that had been alledg'd, by ſaying all thoſe Votes were of no Validity; and that the King's Right was, and would be judg'd the ſame it had been before, notwithſtanding thoſe Votes; which is very true: But this being urged by the King's own Sollicitor, They appointed Him "To bring in and prepare ſuch "a Bill as He thought neceſſary; few Men imagining, that ſuch a Sworn Officer would not be very careful and tender of all his Maſter's Prerogatives, which He was expreſsly Sworn to defend.

He is appointed to bring in a Bill to ſettle that matter;

WITHIN

which He does;

WITHIN few days after, He brought in a very short Bill; in which was mention'd by way of Preface, "That the Power "over the Militia of the Kingdom was not Settled in any "such manner, that the Security of the Kingdom was pro- "vided for, in case of Invasion or Insurrection, or any sud- "dain accidents; and then an Enacting clause, "That hence- "forward the Militia, and all the Power thereof, should be "vested in — *&c*; and then a large Blank left, for inserting "Names; and afterwards, "The absolute Authority to Execute — *&c*. The ill meaning whereof was easily understood; and with some warmth press'd: "That by this Bill, all the "Power would be taken out of the Crown, and put into the "hands of Commissioners. To which the Sollicitor made An- swer, "That the Bill took no Power from any body who "had it, but provided to give Power where it was not; nor "was there mention of any Commissioners; but a Blank was "therefore left, that the House might fill it up as They "thought fit, and put the Power into Such hands as They "thought proper; which, for ought He knew, might be the "King's; and He hoped it would be so.

The Bill receiv'd.

AND with this Answer the Bill was receiv'd, notwith- standing all opposition, and read: all Those persons who had been formerly Deputy Lieutenants, and lay under the Ter- rour of that Vote, presuming, that this Settlement would pro- vide for the Indemnity of all that had pass'd before; and the Rest, who might still be exposed to the same hazards, if they should be requir'd to act upon the like occasions, con- curring in the desire, that somewhat might be done for a ge- neral Security; and They who had contriv'd it, were well enough contented that it was Once read; not desiring to pro- secute it, till some more favourable conjuncture should be of- fer'd: and so it rested.

The King dismisses Sr William Balfour *from being Lieutenant of the Tower.*

ABOUT this time, the King not being well satisfied in the affection or fidelity of Sr *William Balfour*; whom He had some years before, to the great and general Scandal, and Of- fence of the *English* Nation, made Lieutenant of the Tower: and finding that the Seditious Preachers every day prevail'd in the City of *London*, and Corrupted the Affections and Loyalty of the meaner People towards the Government of the Church and State; resolv'd to put that Place (which some Men fancied to be a Bridle upon the City) into the Hands of such a Man as He might rely upon: and yet, He was willing to be quit of the Other, without any Act of Disobligation upon him; and therefore gave him three thousand pounds, ready Money, which was raised by the Sale of some of the Queen's own Jewels; and immediately caused Colonel *Lunsford* to be Sworn in his place, Lieutenant of the Tower.

Colonel Lunsford *put in his place.*

THIS

THIS was no ſooner known, than the Houſe of Commons found themſelves concern'd in it; and upon pretence "That ſo excellent a Perſon, as Sr *William Balfour* (who in truth was very gracious to them, for the ſafe keeping the Earl of *Strafford*) "could not be remov'd from that Charge, "but upon ſome eminent Deſign againſt the City and the "Kingdom; and that the Man who was appointed for his "Succeſſor was a perſon of great Licence, and known only "by ſome deſperate acts; for which He had been formerly "Impriſon'd by the State, and having made his eſcape, fled "the Kingdom: They deſir'd the Lords to joyn with Them "in a Petition to the King, to put the Tower into Better "hands; making ſuch arguments againſt the Perſon of the Man, as before ſpoken of. The Lords replied to them, "That it was an argument of that nature, They thought not "themſelves competent Adviſers in it; the cuſtody of the "Tower being ſolely at the King's diſpoſal, who was Only "to judge of the Fitneſs of the Perſon for ſuch a Charge: But, at the ſame time that They refuſed to joyn in a Publick Deſire to the King, They intimated Privately Their Advice to him, "That He ſhould make choice of a Fitter Perſon, "againſt whom no Exceptions could be made. For indeed, Sr *Thomas Lunsford* was not then known enough, and of reputation equal to ſo invidious a province; and thereupon, within two or three days at moſt, He reſign'd the Place, and the King gave it Sr *John Byron*.

The Colonel reſigns, and Sir John Byron *is put in.*

THIS gave them no Satisfaction in the Change, ſince it had no reference to Their Recommendation; which They only look'd after: but it gave them great delight, to ſee that the King's Counſels were not ſo fix'd, but Their Clamour might alter them; and that doing Hurt, being as deſireable a degree of Power, to ſome Men, as doing Good, and likely to gain them more Proſelytes, They had Marr'd a Man, though They could not Make one. And without doubt, it was of great Diſadvantage to the King, that That Counſel had not been form'd with ſuch deliberation, that there would need no alteration; which could not be made, without a kind of Recognition.

ALL this time, the Bill depended in the Lords Houſe, "For the taking away the Votes of Biſhops, and removing "them from the Houſe of Peers; which was not like to make a more proſperous progreſs there, than it had ſix Months before; it being evident, that the Juriſdiction of the Peerage was invaded by the Commons; and therefore that it was not reaſonable to part with any of their Supporters. But the Virulence againſt them ſtill increaſed; and no Churches frequented, but where They were Preached againſt as Anti-Chriſtian; The Preſſes ſwell'd with the moſt virulent Invectives

Touching the Bill againſt the Biſhops Votes, depending in the Houſe of Peers.

vectives against them; and a Sermon was Preach'd at *Westminster*, and afterwads Printed, under the Title of *The Protestation Protested*, by the infamous *Burton*, wherein He declar'd, "That all Men were oblig'd by their late Protestation "by what means soever, to remove both Bishops and the "Common-Prayer Book out of the Church of *England*, as "Impious and Papistical: whilst all the Learned and Orthodox Divines of *England*, were look'd upon under the notion of Scandalous Ministers; and if the Meanest, and most Vitious Parishioner They had, could be brought to prefer a Petition against either of them to the House of Commons (how False soever). He was sure to be Prosecuted as such.

A Petition publish'd, in the name of the Apprentices, against Papists and Prelates.

In the end, a Petition was Publish'd, in the name "Of the "Apprentices, and Those whose Apprenticeships were lately "expir'd, in and about the City of *London*; and directed, "to the King's most excellent Majesty in the Parliament now "assembled; Shewing, "That They found by experience, "both by their Own and Masters Trading, the beginning of "great Mischiefs coming upon them, to nip them in the bud, "when they were first entring into the World; the Cause of "which, They could attribute to no others but the Papists, "and the Prelates, and that Malignant Party which adhered "to them: That they stood solemnly engaged, with the ut- "most of their Lives and Fortunes, to Defend his Sacred Ma- "jesty, and Royal Issue, together with the Rights and Liber- "ties of Parliaments, against Papists, and Popish Innovators; "such as Arch-Bishops, Bishops, and their Dependents, ap- "pear to be. They desir'd his Majesty in Parliament to take "notice, that, notwithstanding the much unwearied pains "and industry of the House of Commons, to subdue Popery, "and Popish Innovators; neither is Popery yet subdued, nor "Prelates are yet remov'd; whereby Many had taken en- "couragements desperately to Plot against the Peace and "Safety of his Dominions: witness the most Barbarous and "Inhuman Cruelties perpetrated by the Papists in *Ireland*; "from whence (They said) a new spring of Fears and Jea- "lousies arose in them: and therefore They desir'd, that the "Popish Lords, and other eminent and dangerous Papists, in "all the parts of the Kingdom, might be look'd unto, and "Secur'd; the Laws against Priests and Jesuits fully executed; "and the Prelacy rooted up: That so the work of Reforma- "tion might be prosperously carried on; Their distracting "Fears remov'd; that the freedom of Commerce and Trade "might pass on more chearfully, for the encouragement of "the Petitioners, *&c.*

This, and such stuff, being Printed, and scatter'd amongst the People; Multitudes of mean Persons flock'd to *Westminster*-Hall,

ſter-Hall, and about the Lords Houſe; crying as they went up and down, *No Biſhops, No Biſhops*, "That ſo they might carry "on the Reformation.

I SAID before, that upon the King's return from *Scotland*, He diſcharg'd the Guards that attended upon the Houſes. Whereupon, the Houſe of Commons (for the Lords refuſed to joyn with them) Petition'd the King "In regard of the "Fears They had of ſome Deſign from the Papiſts, that "They might continue ſuch a Guard about them as They "thought fit. *The Commons Petition the King for a Guard.*

TO which his Majeſty anſwer'd, "That He was confi- "dent they had no juſt cauſe of Fear; and that They were as "Safe, as Himſelf and his Children: but, ſince They did "avow ſuch an apprehenſion of Danger, that He would ap- "point a ſufficient Guard for them. And thereupon, di- rected the Train'd-bands of *Weſtminſter* and *Middleſex* (which conſiſted of the moſt ſubſtantial Houſholders, and were under known Officers) in fit numbers to attend. *His Majeſty's Anſwer.*

THIS Security was not liked; and it was ask'd, — *Quis cuſtodiet ipſos Cuſtodes* —? And when the diſorderly Rabble, ſpoke of now, firſt came down, They reſiſted them, and would not ſuffer them to diſturb the Houſes; and Some of them, with great rudeneſs, preſſing to the door of the Houſe of Peers, their Lordſhips appointed the Guards to be call'd up to remove them; and the Earl of *Dorſet*, being then Lord Lieutenant of *Middleſex* (the Crowd oppreſſing him, and re- fuſing to leave the Room) in ſome Paſſion, call'd upon the Guard "To give Fire upon them; whereupon, the Rabble Frighted, left the place, and haſted away.

THE Houſe of Commons, incenſed that their Friends ſhould be ſo uſed, much Inveigh'd againſt the Earl of *Dorſet*; and talk'd, "Of Accuſing him of High Treaſon; at leaſt, "of drawing up ſome Impeachment againſt him; for ſome Judgment he had been Party to, in the Star-Chamber, or Council-Table: and ſo giving theſe hints of Their Diſplea- ſure, that He might have the more care how he carried himſelf; They concluded, that ſince they could not have ſuch a Guard as pleaſed Them, They would have none at all: and ſo ſent to the Lords "For the Diſcharge of the "Train'd-bands that attended: who willingly conſented to it; and it was done accordingly: The Houſe of Commons de- claring "That it ſhould be Lawful, for every Member to "bring his own Servant, to attend at the door, Arm'd with "ſuch Weapons as They thought fit.

IT was quickly underſtood abroad, that the Commons liked well the Viſits of their Neighbours: So that the People aſſembled in greater Numbers than before, about the Houſe of *Great Tumults about the Houſe of Peers.*

of Peers; calling ſtill out with one Voice, *No Biſhops, No Popiſh Lords*; Crowded and Affronted ſuch Lords as came near them, who They knew affected not their ends, calling them *Rotten-hearted Lords*.

HEREUPON, the Houſe of Peers deſir'd a Conference with the Commons; at which, They complain'd of thoſe Tumults; and told them, "That ſuch Diſorders would be an "Imputation upon the Parliament, and make it be doubted "Whether they had Freedom; and ſo might haply become a "Blemiſh to thoſe many good Laws They had already Paſs'd, "as well as prevent the making more; and therefore deſir'd "them, that They would, for the Dignity of Parliaments, joyn "with Them in a Declaration, for the Suppreſſing ſuch Tu-"mults. This was reported to the Commons; and as ſoon laid aſide, "For the handling of other matters of more im-"portance.

THE Tumults continued: and their Inſolencies increas'd; inſomuch, as many Diſſolute and Prophane People, went into the Abby at *Weſtminſter*, and would have pull'd down the Organs, and ſome Ornaments of the Church; but being reſiſted, and by force driven out, "They threaten'd, "They "would come with greater numbers, and pull down the "Church.

HEREUPON, the Lords ſend again to the Houſe of Commons to joyn with them in their Declaration; and many Members of that Houſe complain'd, "That they could not come "with ſafety to the Houſe; and that ſome of them had been "aſſaulted, and very ill entertain'd, by thoſe People that "crowded about the door. But this Conference could not be procur'd; the Debate being ſtill put off to ſome other time; after ſeveral Speeches had been made in Juſtification of them, and Commendation of their affections: Some ſaying, "They "muſt not Diſcourage their Friends, This being a time They "muſt make uſe of All Friends; Mr *Pym* himſelf ſaying, "God forbid the Houſe of Commons ſhould proceed, in any "way, to diſhearten people to obtain their Juſt Deſires in "Such a way.

The Lords direct a writ to be iſſued out to appoint Watches.

IN the end, the Lords requir'd the advice of the Judges, "What courſe was Legally to be taken, to Suppreſs and Pre-"vent thoſe Diſorders; and thereupon, directed the Lord Keeper of the Great Seal, "To iſſue out a Writ, upon the Sta-"tute of *Northampton*, to the Sheriff and Juſtices, to appoint "ſtrong Watches in ſuch places as They judg'd moſt con-"venient, to hinder that unlawful conflux of People to *Weſt-"minſter*, to the diſturbance of Their conſultations. Which Writ iſſuing accordingly, the Juſtices of the Peace, in obedience thereunto, appointed the Conſtables to attend at the Water

Water ſide, and places near about *Weſtminſter*, with good Watches, to hinder that Tumultuous reſort.

THIS was no ſooner done, than the Conſtables were ſent for, by the Houſe of Commons, and after the view of their Warrants, required to Diſcharge their Watches. And then the Juſtices were convened, and examin'd; and albeit it appear'd, that what They had done was in purſuance of a Legal Writ, directed to them under the Great Seal of *England*, by the advice of the Lords in Parliament, without ſo much as conferring with the Lords upon that Act of Theirs; the ſetting ſuch a Watch, was voted to be "A Breach of Privilege: and one of the Juſtices of the Peace, who according to his Oath had executed that Writ, was committed to the Tower for that offence. *The Houſe of Commons diſcharges them.*

UPON this encouragement, all the Factious and Schiſmatical People about the City and Suburbs, aſſembled themſelves together with great licence; and would frequently, as well in the night as the day, convene themſelves, by the ſound of a Bell, or other token, in the Fields, or ſome convenient place, to conſult, and receive Orders from Thoſe by whom they were to be diſpoſed. A meeting of this kind being about the time we ſpeak of in *Southwark*, in a place where their Arms and Magazine for that Burrough was kept; the Conſtable, being a ſober man, and known to be an Enemy to thoſe acts of Sedition, went among them, to obſerve what they did; he was no ſooner eſpied, but he was reproach'd with diſdainful words, beaten and dragg'd, in ſo barbarous a manner, that he hardly eſcaped with his life. Complaint was made to the next Juſtices; and Oath of the Truth of the complaint made: whereupon, a Writ was directed to the Sheriff, to impanel a Jury according to Law, for the inquiſition, and examination of that Riot.

THIS was complain'd of in the Houſe of Commons, as an act that concern'd Their Privileges; for that it was pretended, "That meeting in *Southwark* had been made by godly and "well affected men, only to draw up and prepare a Petition "againſt Biſhops; and that the Conſtable, being a Friend "to Biſhops, came amongſt them to croſs them, and to hin-"der men from Subſcribing that wholſom Petition. Upon this diſcourſe, without any further examination, an Order was made by that Houſe, "That the Under-Sheriff of *Surrey* "ſhould be enjoyn'd, not to ſuffer any Proceedings to be made "upon any Inquiſition, that might concern any perſons who "met together to Subſcribe a petition to be preferr'd to that "Houſe.

BY this, and other means, all obſtacles of the Law being remov'd, and the People taught a way to aſſemble Lawfully

together, in how Tumultuous a manner soever, and the *Christmas* Holy-days giving more leave and licence to all kind of People, the Concourse grew more numerous about *Westminster*; the Rabble sometimes, in their passages between the City and *Westminster*, making a stand before *White-Hall*, and crying out, *No Bishops*, *No Bishops*, *No Popish Lords*, would say aloud, "That they would have no more Porters-Lodge, "but would Speak with the King when They pleased: and when They came near the two Houses, took Papers out of their Pockets, and getting upon some higher place than the rest, would Read the Names of several persons, under the Title of *Disaffected Members of the House of Commons*; and call'd many Lords, *False*, *Evil*, and *Rotten-hearted Lords*. But Their Rage and Fury against the Bishops grew so high, that They threaten'd to pull down their Lodgings where they lay; offer'd to Force the Doors of the Abby at *Westminster*, which were kept Lock'd many days, and defended by a continual Guard within; and Assaulted the Persons of some of the Bishops in their Coaches; and laid hands on the Arch-Bishop of *York*, in that manner, that, if he had not been seasonably rescued, it was believ'd They would have Murder'd him: So that all the Bishops, and many other Members, of Both Houses, withdrew themselves from attending in the Houses, out of a real apprehension of endangering their Lives.

The Tumults increase about White-Hall *and* Westminster-Hall.

Whereupon all the Bishops and many of both Houses withdrew from Their Attendance.

THESE Insurrections by this means were so Countenanced, that no industry or dexterity of the Lord Mayor of *London*, Sr *Richard Gourney*, could give any Check to them; but instead thereof, Himself (with great and very notable courage Opposing all Their Fanatick humours, both in the Court of Aldermen and at the Common Council) grew to be reckon'd in the First Form of the *Malignants* (which was the term They impos'd upon all Those They meant to render Odious to the People) insomuch, as His House was no less threatned and disquieted by the Tumults, than the House of Lords: and when He apprehended some of Those who were most notorious in the Riot, and committed them to the custody of Both the Sheriffs of *London* in Person to be carried to *Newgate*, They were, by the power and strength of their Companions, Rescued from Them in *Cheapside*, and the Two Sheriffs compelled to Shift for their own safety. And when it was offer'd to be proved by a Member in the House of Commons, That the Wife of Captain *Venn* (having received a Letter from Her Husband to that purpose) who was one of the Citizens that served for *London*, and was known Himself to lead those men, that came Tumultuously down to *Westminster*, and *White-Hall*, at the time of the Passing the Bill of Attainder of the Earl of *Strafford*, had with great industry

Sollicited

Sollicited many People to go down with their Arms to *Weſtminſter*, upon a day (that was named) when She ſaid, her Husband had ſent her word, that in the Houſe of Commons They were together by the Ears, and that the worſer Party was like to get the better of the good Party; and therefore her Husband deſired his Friends to come with their Arms to *Weſtminſter* to help the good Party; and that thereupon many in a ſhort time went thither: They who offer'd to make Proof of the ſame, were appointed to Attend many days; but notwithſtanding all the importunity that could be uſed, were never admitted to be Heard.

ALL this time the King (who had been with great Solemnity invited by the City of *London*, and deſired to make his Reſidence nearer to Them than *Hampton-Court*) was at *White-Hall*, where, beſides his ordinary Retinue, and menial Servants, many Officers of the late Disbanded Army, who Sollicited Their remainder of Pay from the two Houſes, which was ſecured to Them by Act of Parliament, and expected ſome farther employment in the War with *Ireland*, upon obſervation, and view of the Inſolence of the Tumults, and the Danger, that they might poſſibly bring to the Court, offer'd themſelves for a Guard to his Majeſty's Perſon; and were with more Formality and Ceremony entertained by Him, than upon a juſt computation of all diſtempers, was by many conceived Seaſonable. And from theſe Officers, warm with indignation at the Inſolences of that vile Rabble, which every day paſſed by the Court, firſt Words of great Contempt, and then, thoſe words commonly finding a Return of equal Scorn, Blows were faſtened upon ſome of the moſt Pragmatical of the Crew. This was looked upon by the Houſe of Commons like a Levying War by the King, and much pity expreſſed by Them, that the poor People ſhould be ſo uſed, who came to Them with Petitions (for ſome few of them had received ſome Cuts, and Slaſhes, that had drawn Blood) and that made a great argument for Reinforcing their Numbers. And from thoſe conteſtations, the two Terms of *Round-head* and *Cavalier* grew to be receiv'd in diſcourſe, and were afterwards continued for the moſt Succinct diſtinction of affections throughout the quarrel: They who were looked upon as Servants to the King, being then called *Cavaliers*; and the other of the Rabble contemned, and deſpiſed, under the name of *Round-Heads*.

Some Officers Repell the Rabble about White-Hall.

Hence the terms of Round-Head and Cavalier.

THE Houſe of Commons being at this time without any Member, who having Relation to the King's Service, would expreſs any Zeal for it, and could take upon him to ſay, to others, whom he would truſt, what the King deſired, or to whom they who wiſhed well, could reſort for advice, and

direction; so that whilst there was a strong Conjunction, and Combination to disturb the Government by depraving it, whatever was said or done to Support it, was as if it were done by chance, and by the private dictates of the reason of private men; the King Resolved to call the Lord *Falkland*, and Sr *John Colepepper*, who was Knight of the Shire for *Kent*, to his Council; and to make the former Secretary of State in the place of *Vane*, that had been kept vacant; and the latter Chancellor of the *Exchequer*, which Office the Lord *Cottington* had Resigned, that Mr *Pym* might be put into it, when the Earl of *Bedford* should have been Treasurer, as is mention'd before. They were Both of great Authority in the House; neither of them of any relation to the Court; and therefore what They said made the more Impression; and They were frequent Speakers. The Lord *Falkland* was wonderfully belov'd by all who knew him, as a man of Excellent Parts, of a Wit so Sharp, and a Nature so Sincere, that nothing could be more Lovely. The Other was generally esteemed as a good Speaker, being a Man of an Universal Understanding, a Quick Comprehension, a Wonderful Memory, who commonly Spoke at the end of the Debate; when he would recollect all that had been said of Weight on all sides with great exactness, and express his own Sense with much clearness, and such an application to the House, that no man more gathered a general Concurrence to his Opinion than he; which was the more notable, because his Person, and manner of Speaking were ungracious enough; so that He prevailed only by the strength of his Reason, which was inforced with Confidence enough.

The Lord Falkland made Secretary of State, and Sr John Colepepper Chancellor of the Exchequer.

The King knew Them to be of good Esteem in the House, and good Affections to his Service, and the quiet of the Kingdom; and was more easily perswaded to bestow those Preferments upon Them, than the Lord *Falkland* was to accept that which was designed to him. No man could be more Surprized than He was, when the first Intimation was made to him of the King's purpose: He had never proposed any Such thing to himself, nor had any Veneration for the Court, but only Such a Loyalty to the King as the Law required from him. And he had naturally a Wonderful Reverence for Parliaments, as believing them most Sollicitous for Justice, the Violation whereof in the least degree he could not forgive any Mortal Power: and it was only his Observation of the Disingenuity, and want of Integrity in this Parliament, which lessened that Reverence to it, and had disposed him to cross, and oppose Their designs: He was so totally unacquainted with business, and the forms of it, that He did believe really he could not Execute the Office with any Sufficiency.

ciency. But there were two conſiderations that made moſt Impreſſion upon him; the One, leſt the World ſhould believe, that his own Ambition had procured this Promotion, and that he had therefore appeared Signally in the Houſe to Oppoſe thoſe Proceedings, that he might thereby render himſelf gracious to the Court: The Other, leſt the King ſhould expect ſuch a Submiſſion, and Reſignation of himſelf, and his own reaſon, and judgment to his Commands, as he ſhould never give, or pretend to give; for he was ſo ſevere an Adorer of Truth, that he could as eaſily have given himſelf leave to Steal as to Diſſemble; or to ſuffer any Man to think that he would do any thing, which he Reſolv'd not to do; which he thought a more miſchievous kind of Lying, than a poſitive averring what could be moſt eaſily contradicted.

It was a very difficult task to Mr *Hyde*, who had moſt Credit with him, to perſwade him to ſubmit to this purpoſe of the King's chearfully, and with a juſt ſenſe of the Obligation, by promiſing that in thoſe Parts of the Office, which required moſt Drudgery, he would help him the beſt he could. But above all he prevail'd with him, by inforcing the ill conſequence of his refuſal to take the Office, which would be interpreted to his diſlike of the Court, and his Opinion, that more would be required from him than he could honeſtly comply with, which would bring great Prejudice to the King: On the other hand, the great Benefit that probably would redound to the King, and the Kingdom, by his accepting ſuch a Truſt in ſuch a general defection, by which he would have opportunity to give the King a truer Information of his own Condition, and the State of the Kingdom, than it might be preſumed had been given to him, and to prevent any Counſels or Practice, which might more alienate the Affections of the People from the Government; and then, that by this relation He would be more able to do the King Service in the Houſe, where he was too well known to have it believed, that he attain'd to it by any unworthy Means or Application. In the end, He was perſwaded to ſubmit to the King's good Pleaſure, though he could not be prevail'd with to accept it with ſo good a Grace, as might raiſe in the King any notable Expectation of his departing from the ſeverity of his own Nature.

Thus, He and *Colepepper* were both inveſted in thoſe Offices, to the no ſmall diſpleaſure of the Governing Party, which could not diſſemble their Indignation, that any of their Members ſhould preſume to receive thoſe Preferments, which they had deſigned otherwiſe to have diſpoſed of. They took all opportunities to expreſs their diſlike of Them, and to Oppoſe any thing they Propoſed to Them. And within few

days there came a Letter out in Print, pretended to be Intercepted, as written from a Roman Catholick to another of the same Profession, in which he gives an account, "That "they had at last, by the interest of their Friends, procured "those two Honourable Persons (before mention'd) "to be "preferred to those Offices, and that they were well assured "that they would be ready to do them, and all their Friends, "all good Offices. Sr *John Colepepper* thought fit to take notice of it in the House, and to make those Professions of his Religion, which he thought necessary. But the Lord *Falkland* chose rather to contemn it, without taking notice of the Libel, well knowing that he was Superior to those Calumnies, as indeed he was; all of that Profession knowing that he was most irreconcileable to their Doctrine, though he was always civil to their Persons. However grievous this Preferment was to the angry part of the House, it was very grateful to all those, both within and without the House, who wished well to the King, and the Kingdom.

The King at the same time Resolved to remove another Officer, who did disserve him notoriously, and to Prefer Mr *Hyde* to that place; with which his Gracious intentions his Majesty acquainted him, but he positively refused it, and assured him, "That he should be able to do much more Service "in the condition he was in, than he should be, if that were "improved by any Preferment, that could be conferred upon "him at that time; and he added, "That he had the Ho-"nour to have much Friendship with the two Persons, who "were very Seasonably advanced by his Majesty, when his "Majesty's Service in the House of Commons, did in truth "want some Countenance, and Support; and by his Conver-"sation with Them, he should be so well instructed by "Them, that he should be more useful to his Majesty, than "if it were under a nearer relation and dependence. The King, with a very Gracious countenance, told him, "That he "perceived he must, for some time, defer the laying any "Obligation upon him; but bid him be assured he would find "both a Proper Time, and a Suitable Preferment for him, "which he should not refuse. In the mean time, he said, he "knew well the Friendship between the two Persons, whom "he had taken to his Council, and him; which was not the "least motive to him to make that choice; and that he "would depend as much upon his Advice, as upon either "of theirs; and therefore wished that all Three would Con-"fer together, how to conduct his Service in the House, and "to advise his Friends how to carry themselves most to the "advantage of it, and to give him constant Advertisement "of what had Pass'd, and Counsel when it was fit for him

"to

"to do any thing; and declared, that He would do nothing, "that in any degree concerned, or related to his Service in "the House of Commons, without their joynt Advice and "exact Communication to them of all his own Conceptions; which, without doubt, his Majesty did at that time stedfastly Resolve, though in very few days he did very Fatally swerve from it.

BY what hath been said before, it appears that the Lord *Digby* was much trusted by the King, and he was of great familiarity, and friendship with the other Three, at least with Two of them; for he was not a man of that Exactness, as to be in the entire Confidence of the Lord *Falkland*, who looked upon his Infirmities with more Severity than the other Two did; and he liv'd with more Frankness towards those Two, than he did towards the Other; Yet even between those Two there was a free Conversation, and Kindness to each other. The Lord *Digby* was a Man of very Extraordinary Parts by Nature and Art, and had surely as good and excellent an Education as any Man of that Age in any Country: a Graceful and Beautiful Person; of great Eloquence and becomingness in his Discourse (save that sometimes he seem'd a little affected) and of so Universal a Knowledge, that he never wanted Subject for a Discourse: He was equal to a very good part in the greatest Affairs, but the unfittest Man alive to conduct them, having an Ambition, and Vanity Superior to all his other Parts, and a Confidence in himself, which sometimes intoxicated, and transported, and exposed him. He had from his Youth, by the disobligations his Family had undergone from the Duke of *Buckingham*, and the great Men who succeeded him, and some sharp reprehension himself had met with, which obliged him to a Country Life, contracted a prejudice, and ill will to the Court; and so had in the beginning of the Parliament, engaged himself with that Party which discover'd most Aversion from it, with a Passion and Animosity equal to theirs, and therefore very acceptable to Them. But when he was weary of their violent Counsels, and withdrew himself from them with some circumstances which enough provoked them, and made a Reconciliation, and mutual Confidence in each other for the future, manifestly impossible amongst them, he made private and secret offers of his Service to the King, to whom in so general a defection of his Servants, it could not but be very agreeable; and so his Majesty being satisfied both in the Discoveries he made of what had passed, and in his Professions for the future, remov'd him from the House of Commons, where he had render'd himself marvellously ungracious, and called him by Writ to the House of Peers, where he did

visibly Advance the King's Service, and quickly render'd himself grateful to all those who had not thought too well of him before, when he deserv'd less; and Men were not only pleased with the Assistance he gave upon all Debates, by his Judgment and Vivacity, but looked upon him, as one, who could derive the King's Pleasure to them, and make a lively representation of their good demeanour to the King, which he was very luxuriant in promising to do, and officious enough in doing as much as was just.

He had been instrumental in promoting the Three Persons above mention'd to the King's Favour; and had himself in truth so great an Esteem of them, that he did very frequently, upon Conference together, depart from his own Inclinations and Opinions, and Concurred in theirs; and very few Men of so great Parts were, upon all occasions, more Counsellable than he; so that he would seldom be in danger of running into great Errors, if he would communicate, and expose all his own thoughts and inclinations to such a disquisition; nor was he uninclinable in his Nature to such an entire communication in all things which he conceived to be difficult. But his fatal infirmity was, that he too often thought difficult things very easy; and consider'd not possible consequences, when the Proposition administred somewhat that was delightful to his Fancy, by pursuing whereof he imagined he should reap some Glory to himself, of which he was immoderately Ambitious: So that if the consultation were upon any Action to be done, no Man more implicitly entred into that Debate, or more chearfully resign'd his own conceptions to a joynt determination: But when it was once affirmatively resolv'd (besides that he might possibly reserve some impertinent circumstance, as he thought, the imparting whereof would change the nature of the thing) if his Fancy suggested to him any particular, which himself might perform in that Action, upon the imagination that every body would approve it if it were proposed to them, he chose rather to do it, than communicate it, that he might have some signal part to himself in the Transaction, in which no other Person might claim a share.

By this unhappy Temper he did often involve himself in very unprosperous Attempts. The King himself was the unfittest Person alive to be served by such a Counsellor, being too easily inclined to suddain Enterprizes, and as easily startled when they were entred upon. And from this unhappy Composition in the One, and the Other, a very unhappy Counsel was proposed, and Resolution taken, without the least communication with either of the Three, who had been so lately admitted to an entire Trust.

The

THE Biſhops, who had been, in the manner before ſpoken of, driven, and kept from the Houſe of Peers, and not very Secure in their own, could not have the patience to attend the Diſſolution of this Storm, which in wiſdom They ought to have done: but conſidering Right and Reaſon too abſtractly, and what in Juſtice was due, not what in Prudence was to be expected; ſuffer'd Themſelves implicitly to be guided by the Arch-Biſhop of *York*, who was of a reſtleſs, and overweening Spirit, to ſuch an Act of indiſcretion, and diſadvantage to Themſelves, that all their Enemies could not have brought upon Them. This Biſhop, as is ſaid, was a Man of a very Imperious and fiery Temper, Dr *Williams*, who had been Biſhop of *Lincoln*, and Keeper of the Great Seal of *England* in the time of King *James*. After his removal from that Charge, He had lived Splendidly in his Dioceſs, and made himſelf very Popular amongſt thoſe who had no reverence for the Court; of which he would frequently, and in the preſence of many, ſpeak with too much Freedom, and tell many Stories of Things and Perſons upon his own former Experience; in which, being a Man of great Pride and Vanity, He did not always confine himſelf to a preciſe Veracity, and did often preſume, in thoſe unwary diſcourſes, to mention the Perſon of the King with too little reverence. He did affect to be thought an Enemy to the Arch-Biſhop of *Canterbury*; whoſe Perſon he ſeem'd exceedingly to contemn, and to be much diſpleaſed with thoſe Ceremonies and Innovations, as they were then called, which were countenanced by the Other; and had himſelf publiſhed, by his own Authority, a Book againſt the uſing thoſe Ceremonies, in which there was much good Learning, and too little Gravity for a Biſhop. His Paſſion and his Levity, gave every day great advantages to thoſe who did not love him, and He provoked too many, not to have thoſe advantages made uſe of: So that, after ſeveral Informations againſt Him in the Star-Chamber, He was Sentenced, and Fined in a great ſum of Money to the King, and committed Priſoner to the Tower, without the pity, or compaſſion of any, but thoſe, who, out of hatred to the Government, were ſorry that they were without ſo uſeful a Champion; for He appeared to be a Man of a very corrupt Nature, whoſe Paſſions could have tranſported Him into the moſt unjuſtifiable Actions.

HE had a faculty of making relations of things done in his own Preſence, and diſcourſes made to himſelf, or in his own hearing, with all the circumſtances of anſwers, and replies, and upon Arguments of great Moment; all which upon Examination, were ſtill found to have nothing in them that was Real, but to be the pure effect of his own Invention.

After

After he was Sentenced in the Star-Chamber, ſome of his Friends reſorted to him, to lament, and condole with him for his Misfortune, and ſome of them ſeem'd to wonder that in an Affair of ſuch a Nature, He had not found means to have made ſome Submiſſion, and Compoſition, that might have prevented the Publick Hearing, which proved ſo much to his Prejudice in point of Reputation, as well as Profit. He anſwer'd them with all the formality imaginable, "That "they had reaſon indeed to wonder at him upon the Event; "but when they ſhould know how he had govern'd himſelf, he "believ'd they would ceaſe to think him worthy of blame. And then related to them, "That aſſoon as Publication had "paſſed in his Cauſe, and the Books were taken out, he had "deſired his Council (who were all able Men, and ſome of "them very Eminent) in the Vacation time, and they at "moſt leiſure, to meet together, and carefully to look over, "and peruſe all the Evidence that was taken on both ſides; "and that then they would attend him ſuch a Morning, "which he appointed upon their conſent, at his own Houſe "at *Weſtminſter*: That they came at the time appointed; and "being then ſhut up in a Room together, He asked them, "whether they had ſufficiently peruſed all the Books, and "were throughly inform'd of his Caſe? To which they all "anſwer'd, that they had not only read them, all over to-"gether, but had ſeverally every Man by himſelf peruſed "them again, and they believ'd they were all well inform'd of "the whole. That he then told them he had deſired this Con-"ference with them, not only as his Council, by whoſe Opi-"nion he meant to govern himſelf, but as his particular "Friends, who, he was ſure, would give him their beſt Ad-"vice, and perſwade him to do every thing as they would do "themſelves, if they were in his Condition. That he was now "offer'd to make his Peace at Court, by ſuch an humble Sub-"miſſion to the King, as he was moſt inclin'd, and ready to "make; and which he would make the next day after his "Cauſe was heard, though he ſhould be declared to be In-"nocent, of which he could make no doubt; but that which "troubled him for the preſent, was, that the Infamouſneſs of "the Charge againſt him, which had been often Expoſed, and "Inlarged upon in ſeveral motions, had been ſo much taken "notice of through the Kingdom, that it could not conſiſt "with his Honour to divert the Hearing, which would be im-"puted to his want of Confidence in his Innocence, ſince Men "did not ſuſpect his Courage, if he durſt rely upon the "other; but that he was Reſolv'd, as he ſaid before the next "day, after he ſhould be vindicated from thoſe Odious Aſper-"ſions, he would caſt himſelf at the King's feet, with all the

"Humility

"Humility, and Submiſſion, which the moſt Guilty Man "could make profeſſion of. It was in this point he deſired "their Advice, to which he would, without adhering to his "own Inclination, entirely conform himſelf; and therefore "deſired them, ſingly in order, to give him their Advice. He repeated the ſeveral, and diſtinct diſcourſe every Man had made, in which he was ſo punctual, that he applied thoſe Phraſes, and Expreſſions, and Manner of Speech to the Several Men, which they were all taken notice of frequently to uſe; as many Men have ſome Peculiar Words in diſcourſe, which they are moſt delighted with, or by cuſtom moſt addicted to: and in concluſion, "That they were "Unanimous in their Judgments; that he could not, with "the preſervation of his Honour, and the opinion of his In-"tegrity, decline the Publick Hearing; where he muſt be "unqueſtionably declared Innocent; there being no Crime, "or Miſdemeanour prov'd againſt him in ſuch a manner, as "could make him liable to Cenſure: They all commended "his Reſolution of Submitting to the King aſſoon as he had "made his Innocence to appear; and they all adviſed him to "purſue that Method. This, he ſaid, had Swayed him; and "made him decline the other Expedient, that had been pro-"poſed to him.

THIS Relation wrought upon Thoſe to whom it was made, to raiſe a Prejudice in them againſt the Juſtice of the Cauſe, or the reputation of the Council, as they were moſt inclined; whereas there was not indeed the leaſt ſhadow of Truth in the whole Relation; except that there was ſuch a Meeting, and Conference, as was mention'd, and which had been conſented to by the Biſhop upon the joynt deſire, and importunity of all the Council; who, at that Conference, Unanimouſly adviſed and deſired him "To uſe all the Means "and Friends he could, that the Cauſe might not be brought "to Hearing; but that he ſhould purchaſe his Peace at any "Price; for that if it were Heard, he would be Sentenced "very grievouſly; and that there were many things prov'd "againſt him, which would ſo much reflect upon his Honour, "and Reputation, and the more for being a Biſhop, that all "his Friends would abandon him; and be for ever after "aſhamed to appear on his behalf. Which advice, with great Paſſion, and Reproaches upon the Several Perſons for their Preſumption, and Ignorance in matters ſo much above Them, he utterly and ſcornfully rejected. Nor indeed was it poſſible at that time, for him to have made his Peace; for though upon ſome former Addreſſes, and Importunity on his behalf by ſome Perſons of Power, and Place in the Court, in which the Queen her ſelf had endeavour'd to have done him

him good Offices, the King was inclined to have saved him, being a Bishop, from the Infamy he must undergo by a Publick Trial; yet the Bishops Vanity had, in those conjunctures, so far transported him, that he had done all he could to have insinuated, "That the Court was asham'd of what they had "done; and had prevail'd with some of his Powerful Friends "To perswade him to that Composition: upon which the King would never hear more any Person who moved on His behalf.

It had been once mention'd to Him, whether by Authority, or no, was not known, "That his Peace should be made, "if he would resign his Bishoprick, and Deanery of *Westminster* (for he had That in Commendam) "and take a "good Bishoprick in *Ireland*; which he positively refused; and said, "He had much to do to defend himself against the "Arch-Bishop Here; but if he was in *Ireland*, There was a "Man (meaning the Earl of *Strafford*) who would cut off his "Head within one Month.

This Bishop had been for some years in the Tower, by the Sentence of the Star-Chamber, before this Parliament met; when the Lords, who were the most Active and Powerful, presently resolv'd to have him at Liberty. Some had much kindness for him; not only as a known Enemy to the Arch-Bishop of *Canterbury*; but as a Supporter of Those Opinions, and Those Persons, which were against the Church it self. And he was no sooner at Liberty, and brought into the House, but, as has been before mention'd, he defended, and seconded the Lord *Say*, when he made an Invective with all the Malice, and Bitterness imaginable, against the Arch-Bishop then in Prison; and when he had concluded, that Bishop said; "That he had long known that noble Lord, and "had always believ'd him to be as well affected to the Church "as Himself; and so he continued to make all his Address to that Lord, and those of the same Party. Being now in full Liberty, and in some Credit, and Reputation, He applied himself to the King; and made all possible professions of Duty to his Majesty, and Zeal to the Church; protesting "To have a perfect Detestation of Those Persons, who ap- "peared to have no Affection or Duty towards his Majesty, "and of all evil intentions against the Religion Establish'd; "and that the Civility he had expressed towards them, was "only out of Gratitude for the good Will they had shew'd "to Him; and especially that he might the better promote "his Majesty's Service. And it being his turn shortly after, as Dean of *Westminster*, to Preach before the King; he took occasion to speak of the Factions in Religion; and mentioning the Presbyterian Discipline, he said, "It was a Govern-

"ment

"ment only fit for Taylors and Shoomakers, and the like: "not for Noblemen, and Gentlemen: which gave great Scan- "dal, and Offence to his great Patrons; to whom he easily reconciled himself, by making Them as merry with some Sharp Sayings of the Court, and by performing more Substantial Offices for them.

When, upon the Tryal of the Earl of *Strafford*, it was resolv'd to decline the Judgment of the House of Peers, and to proceed by Bill of Attainder: and thereupon it was very unreasonably Mov'd, "That the Bishops might have no Vote "in the passing that Act of Parliament; because they pre- "tended it was to have their hand in Blood, which was a- "gainst an old Canon; This Bishop, without communicating with any of his Brethren, very Frankly declared his opinion, "that they ought not to be present; and offered, not only in his own Name, but for the rest of the Bishops, "To with- "draw always when That business was enter'd upon: and so betray'd a Fundamental Right of the whole Order; to the great Prejudice of the King, and to the taking away the Life of that Person, who could not otherwise have Suffer'd.

And shortly after, when the King declared, that he neither would, nor could in Conscience, give his Royal Assent to that Act of Attainder; when the Tumults came about the Court with Noise and Clamour for Justice; the Lord *Say* desired the King to Confer with his Bishops for the Satisfaction of his Conscience; and desired him to speak with That Bishop in the point. After much discourse together, and the King insisting upon many particulars, which might induce others to consent; but were known to Himself to be false; and therefore he could never in Conscience give his own consent to them; the Bishop, as hath been mentioned before, amongst other Arguments, told him; "That he must consi- "der, that as he had a Private Capacity, and a Publick, so "he had a Publick Conscience as well as a Private; that "though his Private Conscience, as a Man, would not per- "mit him to do an Act contrary to his own Understanding, "Judgment, and Conscience; yet his Publick Conscience, as "a King, which obliged him to do all things for the Good "of his People, and to preserve his Kingdom in Peace for "Himself and his Posterity, would not only permit him to "do That, but even Oblige, and Require him. That he saw "in what Commotion the People were; that his own Life, "and that of the Queen's, and the Royal Issue, might proba- "bly be Sacrificed to that Fury; and it would be very strange, "if his Conscience should prefer the Life of one single Private "Person how Innocent soever, before all those other Lives, "and the Preservation of the Kingdom.

This

THIS was the argumentation of that unhappy Casuist; who truly, it may be, did believe himself; for towards the end of the War, and when the King's Power declin'd; he, being then an Arch-Bishop, did in Person assist the Rebels to take a Castle of the King's; in which there was a Garrison, and which was taken by a long Siege; because he might thereby the better enjoy the Profits of his own Estate, which lay thereabouts.

UPON all these great Services He had perform'd for the Party, he grew every day more Imperious; and after the King thought it necessary to make him Arch-Bishop of *York*, which, as the time then was, could not qualify him to do more harm, and might possibly dispose, and oblige him to do some good; he carried himself so Insolently, in the House, and out of the House, to all Persons, that he became much more Odious universally, than ever the other Arch-Bishop had been; having sure more Enemies than He, and few or no Friends, of which the Other had abundance. And the great hatred of this Man's Person and Behaviour, was the greatest invitation to the House of Commons so irregularly to revive that Bill to remove the Bishops, and was their chief encouragement to hope, that the Lords, who had rejected the Former, would now Pass, and consent to this Second Bill.

THIS was one of the Bishops, who was most rudely treated by the Rabble; who gathered themselves together about the House of Peers, crying out, *No Bishops, No Bishops*: and his Person was assaulted, and Robes torn from his back; upon which, in very just displeasure, he return'd to his House, the Deanery at *Westminster*; and sent for all the Bishops, who were then in the Town (it being within very few days of *Christmas*) of which there were Twelve or Thirteen; and, in much Passion, and with his natural Indignation, He proposed as absolutely necessary; "That they might Unanimously, "and Presently prepare a Protestation, to send to the House "against the Force that was used upon Them; and against "all the Acts, which were, or should be done during the "time that They should by Force be kept from doing their "Duties in the House. And immediately, having Pen and Ink ready, Himself prepared a Protestation; which being read to them, They all approv'd; Depending upon His great Experience in the Rules of the House, where he had sate so many Years, and in some Parliaments in the place of Speaker, whilst He was Keeper of the Great Seal; and so presuming, that He could commit no errour in Matter of Form: and without further Communication, and Advice, which both the Importance of the Subject, and the Distemper of the time

time did require; and that it might have been consider'd as well what was Fit, as what was Right; without further delay, than what was necessary for the fair Writing, and Ingrossing the Instrument they had prepar'd; They all set their hands to it. Then the Arch-Bishop went to *White-Hall* to the King, and presented the Protestation to him; it being directed to his Majesty with an humble desire, that He would send it to the House of Peers, since They could not present it Themselves; and that He would command, that it should be enter'd in the Journal of the House. His Majesty casting his Eye perfunctorily upon it, and believing it had been drawn by Mature Advice, no sooner receiv'd it, than he deliver'd it to the Lord Keeper, who unfortunately happen'd to be likewise present, with his command that he should deliver it to the House as soon as it met; which was to be within two hours after. The Petition contain'd these words,

To the King's most Excellent Majesty; and the Lords, and Peers now assembled in Parliament. *The Petition and Protestation of the Bishops to the King and House of Lords.*

"The humble Petition, and Protestation of all the Bishops, "and Prelates now called by his Majesty's Writs to attend "the Parliament, and present about *London* and *West-* "*minster* for that Service.

"That, whereas the Petitioners were called up by Se- "veral and Respective Writs, and under great Penalties to at- "tend in Parliament; and have a clear and indubitable Right "to Vote in Bills, and other matters whatsoever Debateable "in Parliament, by the ancient Customs, Laws, and Statutes "of this Realm; and ought to be Protected by your Majesty, "quietly to attend, and prosecute that great Service:

"They humbly Remonstrate, and Protest before God, "Your Majesty, and the noble Lords and Peers now assem- "bled in Parliament; that as They have an indubitable Right "to Sit, and Vote in the House of Lords, so are they (if they "may be protected from Force, and Violence) most ready, "and willing to perform their Duties accordingly; and that "they do Abominate all Actions or opinions tending to Po- "pery, and the maintenance thereof; as also all Propension, "and Inclination to any Malignant Party, or any other Side, "or Party whatsoever, to the which Their own Reasons, and "Conscience shall not move them to Adhere.

"But, whereas They have been at several times, violent- "ly Menaced, Affronted, and Assaulted by Multitudes of "People in their coming to perform their Services in that "Honourable House; and lately Chased away, and put in "danger

"danger of their Lives, and can find no Redress, or Prote-
"ction upon sundry Complaints made to both Houses in
"These particulars:

"THEY likewise humbly Protest before your Majesty, and
"the noble House of Peers; that, saving to themselves all
"their Rights, and Interests of Sitting, and Voting in That
"House at other times; They dare not Sit or Vote in the
"House of Peers, until your Majesty shall further secure them
"from all Affronts, Indignities, and Dangers in the premises.

"LASTLY, whereas their fears are not built upon Fanta-
"sies, and Conceits, but upon such Grounds and Objects, as
"may well terrify Men of good Resolutions, and much Con-
"stancy; They do in all Duty and Humility Protest, before
"your Majesty, and the Peers of That most Honourable
"House of Parliament, against all Laws, Orders, Votes, Re-
"solutions and Determinations, as in themselves Null and of
"none effect; which in their Absence, since the seven and
"twentieth of this Instant Month of *December* 1641, have
"already passed; as likewise against all Such, as shall hereafter
"Pass in That most Houourable House, during the time of
"this Their Forced and Violent Absence from the said most
"Honourable House; not denying but if Their Absenting
"Themselves were Wilful and Voluntary, That most Ho-
"nourable House might proceed in all These Premises, Their
"Absence, or this Their Protestation notwithstanding:

"AND humbly Beseeching your most excellent Majesty
"to command the Clerk of the House of Peers to Enter this
"Their Petition, and Protestation amongst the Records:

"They will ever Pray, *&c.*

Signed

Jo. Eborac.	*Jo. Norwich.*	*Geo. Heref.*	*Godfr. Glouc.*
Tho. Duresme	*Jo. Asaphen.*	*Rob. Oxon.*	*Jo. Peterburgh.*
Rob. Cov. and *L.*	*Guil. Ba.* and *Wells.*	*Ma. Ely.*	*Mor. Landaff.*

IT was great pity, that, though the Arch-Bishop's Passion transported him, as it usually did; and his Authority imposed upon the rest, who had no affection to his Person, or reverence for his Wisdom; his Majesty did not take a little time to consider of it, before he put it out of his Power to alter it, by putting it out of his hands. For it might easily have been discern'd by Those who were well acquainted with the Humour, as well as the Temper of both Houses, that some Advantage, and ill Use would have been made of some Expressions contained in it; and that it could produce no good Effect. But the same Motive and Apprehension, that had

preci-

precipitated the Bishops to so hasty a Resolution (which was, that the House of Peers would have made that use of the Bishops being kept from the House, that they would in that time have passed the Bill it self for taking away their Votes) had its effects likewise with the King; who had the same imagination, and therefore would lose no time in the transmission of it to the House. Whereas it is more probable the Lords would never have made use of that very Season, whilst the Tumults still continued, for the Passing an Act of that importance; and the Scandal, if not Invalidity of it, would have been an Unanswerable ground for the King to have refused his Royal Assent to it.

ASSOON as this Protestation, which, no doubt, in the time before the House was to meet, had been communicated to Those who were prepar'd to speak upon it, was delivered by the Lord Keeper with his Majesty's Command, and read; the Governing Lords manifested a great Satisfaction in it; Some of them saying, "That there was *Digitus Dei* to "bring That to pass, Which they could not Otherwise have "compassed; and without ever Declaring any Judgment or Opinion of their own upon it, which they ought to have done, the matter only having relation to themselves, and concerning their own Members; they sent to desire a Conference presently with the House of Commons, upon a business of Importance; and, at the Conference, only read, and deliver'd the Protestation of the Bishops to them; which, the Lord Keeper told them, he had receiv'd from the King's own Hand, with a Command to present it to the House of Peers. The House of Commons took very little time to consider of the matter; but, within half an hour, they sent up to the Lords; and, without further Examination, accused them all who had Subscribed the Protestation, of High Treason; and, by this means, they were all, the whole Twelve of them, committed to Prison; and remain'd in the Tower till the Bill for the putting them out of the House was Pass'd, which was not till many Months after.

The Protestation is delivered by the Lords to the House of Commons in a Conference.

The Commons accuse the Bishops that subscribed it of High Treason, and They are committed to the Tower.

WHEN the Passion, Rage, and Fury of this time shall be forgotten, and Posterity shall find, amongst the Records of the Supream Court of Judicature, so many Orders, and Resolutions in vindication of the Liberty of the Subject against the Imprisoning of any man, though by the King Himself, without assigning such a Crime as the Law hath determin'd to be worthy of Imprisonment; and in the same Year, by this high Court, shall find Twelve Bishops, Members of This Court, committed to Prison for High Treason, for the Presenting This Protestation; Men will surely wonder at the Spirit of that Reformation: and even that Clause of Declaring all Acts

Null, which had been, or ſhould be done in their Abſence, in defence of which no man Then durſt open his Mouth, will be thought good Law, and good Logick; not that the Preſence of the Biſhops in that time was ſo Eſſential, that no Act ſhould Paſs without Them; which had given them a Voice, upon the matter, as Negative as the King's; and Themſelves, in their Inſtrument, Diſclaimed the leaſt Pretence to ſuch a qualification; but becauſe a Violence offer'd to the Freedom of any One Member, is a Violation to all the Reſt: as if a Council conſiſt of Threeſcore, and the door to that Council be kept by Armed men, and all Such, whoſe Opinions are not liked, kept out by force; no doubt the Freedom of Thoſe Within is infringed, and all Their Acts as Void and Null, as if they were Locked in, and kept without meat till they alter'd their Judgments.

And therefore you ſhall find in the Journals of the moſt Sober Parliaments, that, upon any eminent Breach of Their Privileges, as always upon the Commitment of any Member for any thing Said or Done in the Houſe, ſometimes upon leſs occaſions, that Houſe, which apprehended the Treſpaſs, would ſit mute, without debating, or handling any buſineſs, and then Adjourn; and this hath been practiſed many days together, till they had Redreſs or Reparation. And their Reaſon was, becauſe their Body was Lame; and what was befallen One Member, threaten'd the Reſt; and the conſequence of one Act might extend it ſelf to many other, which were not in view; and this made their Privileges of ſo tender, and nice a temper, that they were not to be Touched, or in the leaſt degree Trenched upon; and therefore that in ſo apparent an Act of Violence, where it is not more clear that they were committed to Priſon, than that they durſt not then Sit in the Houſe, and when it was Lawful in the Houſe of Peers for every diſſenter in the moſt Trivial Debate, to enter his Proteſtation againſt that ſenſe he liked not, though he were ſingle in his opinion; That it ſhould not be Lawful for Thoſe who could not Enter it Themſelves, to Preſent this Proteſtation to the King, to whom they were accountable under a Penalty for their Abſence; and unlawful to that degree, that it ſhould render them culpable of High Treaſon; and ſo forfeit their Honour, their Lives, their Fortunes, expoſe their Names to perpetual Infamy, and their Wives and Children to Penury and want of Bread; will be looked upon as a Determination of that Injuſtice, Impiety, and Horrour as could not be believ'd without thoſe deep Marks, and Prints of Confuſion that followed, and attended That Reſolution.

And yet the Indiſcretion of Thoſe Biſhops, ſwayed by the

the Pride, and Paſſion of that Arch-Biſhop, in applying, that Remedy at a time, when they ſaw, all Forms and Rules of Judgment impetuouſly declined; and the power of their Adverſaries ſo great, that the Laws themſelves ſubmitted to their Oppreſſion; that They ſhould, in ſuch a Storm, when the beſt Pilot was at his prayers, and the Card, and Compaſs loſt, without the advice of one Mariner, put themſelves in ſuch a Cockboat, and to be ſevered from the good Ship, gave that Scandal and Offence to all thoſe who paſſionately deſired to preſerve their Function, that they had no compaſſion, or regard of their Perſons, or what became of them; inſomuch as in the whole Debate in the Houſe of Commons, there was only one Gentleman, who ſpoke in their behalfs, and ſaid; "He did not believe they were guilty of High Treaſon, but "that they were Stark Mad; and therefore deſired they might "be ſent to *Bedlam*.

THIS high, and extravagant way of proceeding brought no Prejudice to the King; and though it made their Tribunal more terrible to Men who laboured under any Guilt, yet it exceedingly leſſened the Reverence and Veneration, that formerly had been entertained for Parliaments: and this laſt Accuſation, and Commitment of ſo many Biſhops at Once, was looked upon by all Sober men with Indignation. For whatever Indiſcretion might be in the thing it ſelf, though ſome Expreſſions in the matter might be Unskilful and Unwarrantable, and the Form of preſenting and tranſmitting it, Irregular and Unjuſtifiable (for all which the Houſe of Peers might puniſh their Own Members, according to their diſcretion) yet every Man knew there could be no Treaſon in it; and therefore the end of their Commitment, and the uſe all men ſaw would be made of it, made it the more Odious; and the Members who were abſent from both Houſes, which were Three parts of Four, and many of thoſe who had been preſent, Abhorred the Proceedings; and attended the Houſes more diligently; ſo that the Angry Party, who were no more treated with, to abate their Fury, would have been compelled to have given over all their Deſigns for the Alteration of the Government both in Church, and State; if the Volatile, and Unquiet Spirit of the Lord *Digby* had not prevail'd with the King, contrary to his Reſolution, to have given Them ſome New Advantage; and to depart from his purpoſe of doing nothing without very mature Deliberation.

THOUGH Sr *William Balfour*, who is already mentioned, had, from the beginning of this Parliament, forgot all his Obligations to the King; and had made himſelf very Gracious to thoſe people, whoſe glory it was to be thought Enemies to the Court; and, whilſt the Earl of *Straſford*, was his Priſoner

soner, did many Offices not becoming the Trust he had from the King, and contributed much to the Jealousy, which that Party had of his Majesty; upon which there had been a long resolution to remove him from that Charge; but to do it with his own Consent, that there might be no manifestation of Displeasure; yet it was a very unseasonable Conjuncture, which was taken to execute it in; and this whole Transaction was so secretly carried, that there was neither notice nor suspicion of it, till it was heard, that Sr *Thomas Lunsford* was Sworn Lieutenant of the Tower; a Man, who, though of an ancient Family in *Sussex*, was of a very small, and decayed Fortune, and of no good Education; having been few years before, compell'd to flie the Kingdom, to avoid the hand of Justice for some riotous Misdemeanour; by reason whereof, he spent some time in the service of the King of *France*, where he got the reputation of a Man of Courage, and a good Officer of Foot; and in the beginning of the Troubles here had some Command in the King's Army; but so much inferior to many others, and was so little known, except upon the disadvantage of an ill Character, that, in the most Dutiful time, the Promotion would have appear'd very ungrateful. He was utterly a Stranger to the King, and therefore it was quickly, understood to proceed from the Single election of the Lord *Digby*, to whom he was likewise very little known; who had in truth design'd that Office to his Brother Sr *Lewis Dives*, against whom there could have been no exception, but his Relation: but He being not at that time in Town, and the other having some secret Reason to fill that place in the Instant, with a man who might be trusted; he suddainly resolv'd upon this Gentleman, as one who would be Faithful to him for the obligation, and execute any thing he should desire, or direct; which was a reason he might easily have foreseen would provoke more powerful Opposition; which errour, as is said before, was repair'd by the suddain change, and putting in Sr *John Byron*; though it gave little satisfaction, and the less, by reason of another more inconvenient Action, which chang'd the whole Face of Affairs, and caused This to be more reflected upon.

The Atturney General Herbert *accuses in the House of Lords the Lord* Kimbolton, *and five Members of the House of Commons of High Treason.*

In the Afternoon of a day when the two Houses sate, *Herbert* the King's Atturney inform'd the House of Peers, that he had somewhat to say to them from the King; and thereupon, having a Paper in his hand, he said, that the King commanded him to accuse the Lord *Kimbolton*, a Member of that House, and five Gentlemen, who were all Members of the House of Commons, of High Treason; and that his Majesty had himself deliver'd him in Writing several Articles, upon which he accused them; and he read in a Paper these ensuing Articles,

Articles, by which the Lord *Kimbolton*, *Denzil Hollis*, Sr *Arthur Haſlarig*, Mr *Pym*, Mr *Hambden*, and Mr *Strode*, ſtood Accuſed of High Treaſon, for Conſpiring againſt the King and the Parliament.

Articles of High Treaſon, and other Miſdemeanours, againſt the Lord Kimbolton, *Mr* Pym, John Hambden, Denzil Hollis, *Sr* Arthur Haſlerig, *and* William Strode *Members of the Houſe of Commons.* *The Articles againſt them.*

1. "THAT They have Traiterouſly endeavour'd to Sub-"vert the Fundamental Laws, and Government of this King-"dom; and deprive the King of his Regal Power; and to "place on his Subjects an Arbitrary, and Tyrannical Power.

2. "THAT They have endeavour'd, by many foul Aſper-"ſions upon his Majeſty, and his Government, to alienate the "Affections of his People, and to make his Majeſty odious "to Them.

3. "THAT They have endeavour'd to draw his Majeſty's "late Army to diſobedience to his Majeſty's Command, and "to Side with Them in their Traiterous Deſign.

4. "THAT They have Traiterouſly invited, and encou-"raged a Forreign Power to invade his Majeſty's Kingdom "of *England*.

5. "THAT They have Traiterouſly endeavour'd to Sub-"vert the very Rights and Beings of Parliament.

6. "THAT, for the compleating of their Traiterous de-"ſigns, They have endeavour'd, as far as in Them lay, by "Force and Terror to compel the Parliament to joyn with "them in their Traiterous deſigns, and to that end, have "Actually raiſed, and countenanced Tumults againſt the King "and Parliament.

7. "THAT They have Traiterouſly conſpired to Levy, "and Actually have Levied War againſt the King.

THE Houſe of Peers was ſomewhat appall'd at this Alarum; but took time to conſider of it, till the next day, that they might ſee how their Maſters the Commons would behave themſelves; the Lord *Kimbolton* being preſent in the Houſe, and making great profeſſions of his Innocence; and no Lord being ſo hardy to preſs for his Commitment on the behalf of the King.

AT the ſame time, a Serjeant at Arms demanded to be heard at the Houſe of Commons from the King; and being ſent for to the Bar, demanded the Perſons of five of their Members to be deliver'd to him in his Majeſty's Name, his Majeſty having accuſed them of High Treaſon. But the Com- *A Serjeant at Arms demands the five Members in the Houſe of Commons.*

mons were not much surprized with the Accident; for besides that they quickly knew what had passed with the Lords, some Servants of the King, by especial Warrant, had visited the Lodgings of some of the Accused Members, and Sealed up their Studies and Trunks; upon information whereof, before that Serjeant came to the House, or Publick notice was taken of the Accusation, an order was made by the Commons; "That if any Person whatsoever should come to the Lodgings "of any Member of that House, and there offer to Seal the "Doors, Trunks, or Papers of such Members, or to Seize "upon their Persons; that then such Member should require "the aid of the next Constable, to keep such Persons in safe "Custody, till the House should give further Order: that if "any Person whatsoever should offer to Arrest or Detain any "Member of that House, without first acquainting that House "therewith, and receiving further Order from thence; it should "be lawful for such Member to stand upon his Guard, and "make Resistance, and for any Person to assist him, accord-"ing to the Protestation taken to defend the Privileges of "Parliament. And so, when the Serjeant had deliver'd his Message, he was no more call'd in; but a Message sent to the King, "That the Members should be forth coming assoon as "a Legal Charge should be preferr'd against them; and so the House Adjourn'd till the next day, every one of the Accused Persons taking a Copy of that Order, which was made for their Security.

The King goes to the House of Commons to demand them.

THE next day in the Afternoon, the King, attended only by his own usual Guard, and some few Gentlemen, who put themselves into their company in the way, came to the House of Commons; and commanding all his Attendants to wait at the Door, and give offence to No Man; Himself, with his Nephew, the Prince Elector, went into the House, to the great amazement of all: and the Speaker leaving the Chair, the King went into it; and told the House, "He was sorry "for that occasion of coming to them; that yesterday he had "sent his Serjeant at Arms to Apprehend some, that, by his "command, were Accused of High Treason; whereunto he "expected Obedience, but instead thereof he had receiv'd a "Message. He declar'd to them, that no King of *England* had "been ever, or should be more careful to maintain their Pri-"vileges, than He would be; but that in Cases of Treason "no Man had privilege; and therefore he came to see if "any of those Persons, whom he had Accused, were There; "for he was resolv'd to have them, wheresoever he should "find them: and looking then about, and asking the Speaker "whether they were in the House, and he making no answer, "he said, he perceiv'd the *Birds were all Flown*, but expected

"they

"they ſhould be ſent to him, aſſoon as they return'd thither; "and aſſur'd them on the Word of a King, that he never in- "tended any Force, but would proceed againſt them in a fair "and legal Way; and ſo return'd to *White-Hall*.

THE Accuſed Perſons, upon information and intelligence what his Majeſty intended to do, how ſecretly ſoever it was carried at Court, having withdrawn from the Houſe about half an hour before the King came thither; the Houſe in great diſorder, aſſoon as the King was gone, Adjourn'd till the next day in the Afternoon; the Lords being in ſo great apprehenſion upon notice of the King's being at the Houſe of Commons, that the Earl of *Eſſex* expreſſed a tender ſenſe he had of the inconveniences which were like to enſue thoſe Diviſions; and mov'd, "That the Houſe of Peers, as a work "very proper for them, would interpoſe between the King "and his People; and Mediate to his Majeſty on the behalf "of the Perſons Accuſed; for which he was reprehended by his Friends, and afterwards Laughed at himſelf, when he found how much a ſtronger Defence they had, than the beſt Mediation could prove on Their behalf.

How ſecretly ſoever this Affair was carried, it was evident that the King's Reſolution of coming to the Houſe had been diſcover'd, by the Members withdrawing themſelves, and by a Compoſedneſs, which appear'd in the Countenances of many, who uſed to be diſturbed at leſs Surprizing Occurrences; and though the purpoſe of accuſing the Members was only conſulted between the King and the Lord *Digby*; yet it was generally believ'd, that the King's purpoſe of going to the Houſe, was communicated to *William Murray* of the Bed-Chamber, with whom the Lord *Digby* had great Friendſhip; and that it was diſcover'd by him. And that Lord, who had promiſed the King to move the Houſe for the Commitment of the Lord *Kimbolton*, aſſoon as the Atturney General ſhould have accuſed him (which if he had done would probably have raiſed a very hot Diſpute in the Houſe, where many would have joyn'd with him) never ſpoke the leaſt word; but, on the contrary, ſeem'd the moſt ſurprized, and perplexed with the Atturney's Impeachment; and ſitting at that time next the Lord *Kimbolton*, with whom he pretended to live with much Friendſhip, he whiſper'd him in the Ear with ſome commotion (as he had a rare talent in Diſſimulation) "That "the King was very Miſchievouſly adviſed; and that it "ſhould go very hard, but he would know, whence that "Counſel proceeded; in order to which, and to prevent fur- "ther Miſchief, he would go immediately to his Majeſty, and ſo went out of the Houſe.

WHEREAS He was the only Perſon who gave the Coun-

ſel, named the Perſons, and particularly the Lord *Kimbolton* (againſt whom leſs could be ſaid, than againſt many others, and who was more generally belov'd) and undertook to prove that the ſaid Lord *Kimbolton* told the Rabble, when they were about the Parliament Houſe, that they ſhould go to *White-Hall.* When he found the ill Succeſs of the Impeachment in both Houſes, and how unſatisfied all were with the proceeding, he adviſed the King the next Morning to go to the *Guild-Hall*, and to inform the Mayor and Aldermen of the Grounds of his Proceedings; which will be mention'd anon. And that People might not believe, that there was any dejection of mind, or ſorrow for what was done; the ſame Night, the ſame Council cauſed a Proclamation to be prepared for the ſtopping the Ports; that the Accuſed Perſons might not eſcape out of the Kingdom; and to forbid all Perſons to receive, and harbour them; when it was well known, that they were all together in a Houſe in the City, without any fear of their Security. And all this was done without the leaſt communication with any body, but the Lord *Digby*, who adviſed it; and it is very true, was ſo willing to take the utmoſt hazard upon himſelf; that he did offer the King, when he knew in what Houſe they were together, with a ſelect company of Gentlemen, who would accompany him, whereof Sr *Thomas Lunsford* was one, to Seize upon them, and bring them away Alive, or leave them Dead in the place: but the King liked not ſuch Enterprizes.

The Perſons accuſed remove into the City.

THAT Night, the Perſons Accuſed remov'd themſelves into their Strong-Hold, the City: not that they durſt not venture themſelves at their old Lodgings, for no Man would have preſumed to trouble them, but that the City might ſee, that they relied upon that Place for a Sanctuary of their Privileges againſt Violence and Oppreſſion; and ſo might put on an early Concernment for them. And they were not diſappointed; for in ſpight of all the Lord Mayor could do to compoſe their Diſtempers (who, like a very Wiſe and Stout Magiſtrate, beſtirr'd himſelf) the City was that whole Night in Arms; ſome People, deſign'd to that purpoſe, running from one Gate to another, and crying out, "That the *Cavaliers* "were coming to fire the City; and ſome ſaying, "That the "King himſelf was in the head of them.

The King goes into the City, and ſpeaks to the Citizens.

THE next Morning, the King being inform'd of much that had paſſed that Night, according to the Advice he had receiv'd, ſent to the Lord Mayor to call a Common Council immediately; and, about ten of the Clock, himſelf, attended only by three or four Lords, went to the *Guild-Hall*; and in the Room, where the People were aſſembled, told them "He was very ſorry to hear of the Apprehenſions, they had

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"entertain'd of Danger; that He was to come to Them, to "shew how much he relied upon their Affections for his "Security, and Guard, having brought no other with him; "that he had accused certain Men of High Treason, against "whom he would proceed in a Legal way; and therefore he "presum'd they would not shelter them in the City. And using many other very Gracious Expressions of his value for them, and telling one of the Sheriffs (who was of the Two thought less inclin'd to his Service) "That he would Dine "with him, he departed without that Applause and Chearfulness, which he might have expected from the extraordinary Grace he vouchsafed to them. And in his passage through the City, the Rude People flock'd together, and cry'd out, *Privilege of Parliament, Privilege of Parliament*; some of them, pressing very near his own Coach, and amongst the rest one calling out with a very loud Voice, *To your Tents O Israel.* However, the King, though much Mortified, continued his Resolution, taking little notice of the Distempers; and, having Dined at the Sheriff's, return'd in the Afternoon to *White-Hall*; and publish'd the next day, a Proclamation, for the Apprehension of all Those, whom he had accused of High Treason, forbidding any person to Harbour them; the Articles of their Charge being likewise Printed, and dispersed.

When the House of Commons next met, none of the Accused Members appearing, They had Friends enough, who were well instructed to aggravate the late proceedings, and to put the House into a Thousand Jealousies, and Apprehensions, and every slight Circumstance carried weight enough in it to disturb their Minds. They took very little notice of the Accusing the Members; but the King's coming to the House, which had been Never known before, and Declaring, "That "he would take Them, whereever he Found Them, was an Evidence, that he meant Himself to have brought a Force into the House to Apprehend them, if they had been there, and was look'd upon as the highest Breach of Privilege, that could possibly be imagin'd. They who spoke most Passionately, and probably meant as Maliciously, behav'd themselves with Modesty, and seem'd only concern'd in what concern'd them All; and concluded, after many Lamentations, "That "they did not think themselves Safe in that House, till the "Minds of Men were better Composed; that the City was "full of Apprehensions, and was very Zealous for their Se-"curity; and therefore wish'd that they might Adjourn the "Parliament to meet in some place in the City. But that was found not Practicable; since it was not in their own Power to do it, without the Consent of the Peers, and the Concurrence of the King; who were Both like rather to choose

The House of Commons adjourning themselves for some days, name a Committee to sit in the City.

chooſe a place more diſtant from the City. So, with more Reaſon, in the end they concluded, "That the Houſe ſhould "Adjourn it ſelf for two or three days, and name a Com- "mittee, who ſhould ſit both Morning and Afternoon in the "City; and All who came to have Voices: and *Merchant-Taylors-Hall* was appointed for the place of their meeting; They who ſerved for *London*, undertaking, "That it ſhould "be ready againſt the next Morning: no Man oppoſing or contradicting any thing that was ſaid; They, who formerly uſed to appear for all the Rights and Authority which be-longed to the King, not knowing what to ſay, between Grief and Anger, that the Violent Party had by theſe late unskilful actions of the Court, gotten great Advantage, and recover'd new Spirits: and the Three Perſons before named, without whoſe Privity the King had promiſed that he would enter upon no Counſel, were ſo much diſpleaſed and dejected, that they were inclined, never more to take upon them the Care of any thing to be tranſacted in the Houſe; finding already, that they could not avoid being look'd upon as the Authors of thoſe Counſels, to which they were ſo abſolute Strangers, and which they ſo perfectly Deteſted.

AND in truth, They had then withdrawn themſelves from appearing often in the Houſe, but upon the abſtracted conſideration of their Duty and Conſcience, and of the preſent ill condition the King was in; who likewiſe felt within himſelf the Trouble and Agony, which uſually attends Generous and Magnanimous Minds upon their having committed Errors, which expoſe them to Cenſure, and to damage. In fine, the Houſe of Commons Adjourn'd for ſome days, to conſult with their Friends in the City; and the Houſe of Lords held ſo good Correſpondence with them, that they likewiſe Adjourn'd to the ſame days they knew, by ſome Intelligence, the Commons intended to meet again. But the Lords made no Committee to ſit in the City.

The Lords likewiſe Adjourning for the ſame days.

The Tranſactions of the Committee in the City.

WHEN the Committee met the next morning at *Merchant-Taylors-Hall*, where All who came were to have Voices, and whither All did come at firſt, out of Curioſity to obſerve what Method they meant to proceed in, rather than Expectation that they ſhould be able to do any Good there; they found a Guard ready to attend them, of Subſtantial Citizens in Arms, and a Committee from the Common Council, to bid them Welcome into the City; and to Aſſure them, "That the "City would take Care, That they, and all their Members "ſhould be Secured from Violence; and to that purpoſe had "appointed That Guard to attend them, which ſhould be al- "ways Reliev'd twice a day, if they reſolv'd to ſit Morning "and Afternoon: and acquainted them further, "That the "Common

"Common Council, in contemplation that they might ſtand "in want of any thing, had likewiſe appointed a Committee "of ſo many Aldermen, and ſuch a number of the Common "Council, which ſhould meet always at a place named, at "thoſe Hours, which that Committee ſhould appoint to meet "at; to the end, that if any thing were to be requir'd of the "City, they might ſtill know their Pleaſure, and take Care "that it ſhould be Obey'd. Thus they had provided for ſuch a mutual Communication and Confederacy, that they might be ſure always to be of one Mind, and the One to help the Other in the proſecution of thoſe Deſigns and Expedients, which they ſhould find neceſſary to their Common end: the Committee of the City conſiſting of the moſt Eminent Perſons, Aldermen and others, for their diſaffection to the Goverment of Church and State.

At their firſt Sitting, the Committee begun with the ſtating the Manner of the King's coming to the Houſe, and all he did there; the ſeveral Members mentioning all that they would take upon them to remember of his Majeſty's Doing or Speaking, both as he came to the Houſe, and after he was there; ſome of them being walking in *Weſtminſter-Hall* when the King walk'd through, and ſo came to the Houſe with him, or near him; others reporting, what they heard ſome of the Great Men, who attended his Majeſty, ſay, as they paſſed by: every idle word having it's Commentary; and the Perſons, whoever were named, being appointed to attend, they having Power given them to ſend for all Perſons, and to Examine them touching that Affair. Nor had any Man the Courage to refuſe to Obey their Summons; ſo that all thoſe of the King's Servants, who were ſent for, appear'd punctually at the hour that was aſſign'd them; and were Examin'd upon all queſtions, which any one of the Committee would propoſe to them, whereof many were very Impertinent, and of little reſpect to the King.

It was very well known where the Accuſed Perſons were, all together in one Houſe in *Coleman-Street*, near the place where the Committee Sate; and whither Perſons truſted paſs'd to and fro to communicate, and receive Directions; but it was not Seaſonable for them yet to appear in Publick, and to come and Sit with the Committee, or to own the believing, that they thought themſelves ſafe from the Violence, and the Aſſaults of the Court; the Power whereof they exceedingly contemn'd, whilſt they ſeem'd to apprehend it; nor was it yet time to Model in what manner their Friends in the City and the Country, ſhould appear concern'd for them; in preparing whereof no time was loſt.

Against the day the Houſe was to meet, the firſt Adjournment

journment not being for above two or three days, the Committee had prepar'd Matter enough for a Report; a Relation of all they had discover'd upon their Examinations, and such Votes, as they thought fit to offer upon the breach of their Privilege; that they might thereby discover the Affections of the House, of which they could not yet take any measure, seeing there had been no Debate since those Accidents, which could discover the general Temper; which they well enough knew, was not before to their Advantage. In the mean time, they used all the ways they could to Asperse those, who used to Oppose them, as the Contrivers of the late Proceedings; and were willing they should know it; which they imagin'd, would restrain them from taking the same Liberty they had used to do.

Votes of the House of Commons upon their first meeting again.

And so at their meeting in the House, upon the Report of the Committee, they declar'd, "That the King's coming "to the House, and Demanding the Persons of Divers Mem- "bers thereof to be deliver'd unto Him, was a high Breach "of the Rights and Privileges of Parliament; and incon- "sistent with the Liberty and Freedom thereof; and there- "fore that they could not with the Safety of their own Per- "sons, or the Indemnity of the Rights and Privileges of Par- "liament, Sit there any longer, without a full Vindication "of so high a Breach, and a sufficient Guard, wherein they "might Confide; and for that Reason, did Order, that their "House should be again Adjourn'd for four days; and that "the Committee should meet in the same place, to Consider "and Resolve of all things, that might concern the Good and "Safety of the City, and the Kingdom; and particularly, "How their Privileges might be Vindicated, and their Per- "sons Secur'd; and should have Power to Consult and Ad- "vise with any Person, or Persons, touching the Premises. And, this Order and Declaration being made, they Adjourn'd: the last Clause being intended to bring their Members to them.

At the meeting of the House, the Committee had inform'd them, First of the great Civilities, they had receiv'd from the City in all the particulars, that they might have Order to return the Thanks of the Whole House, which they easily obtain'd; and, at their return, they took more Examinations than they had formerly; by which they made a fuller Relation of the King's coming to the House, and his Carriage and Words there. And because it was visible to all Men, that the King was so far from bringing any Force with Him, which they desir'd it should be believ'd he had brought, that he had only his Guard of Halberdiers, and fewer of them, than used to go with Him on any ordinary Motion;

Motion; and that fewer of his Gentlemen Servants were Then with him, than usually attended him when he went but to walk in the Park; and had only their Little Swords; they were very punctual in mentioning any Light or Loose Words, which had fallen from any Man, that it might be believ'd, that there was more in the Matter. As they carefully inserted in their Relation, that one of the Waiters as he walked very near his Majesty through the Hall, said, "He "had a good Pistol in his Pocket; and that Another, as they were walking up the Stairs towards the House of Commons, called out, *Fall on*; from which they would have it believ'd, that there had been very Bloody intentions.

THEN They propos'd some Votes to be offer'd to the House, in which they Voted "The Relation, which was made, "to be true; and thereupon, that the King's Coming to the "House was the highest Breach of the Privilege of Parlia- "ment, that could be made; and that the Arresting, or en- "deavouring to Arrest, any Member of Parliament was a high "Breach of their Privilege; and that the Person, who was so "Arrested, might lawfully Rescue, and Redeem himself; and "that all, who were present, and saw the Privilege of Parlia- "ment so Violated, might, and ought to Assist the injured "Person in his Defence, and to procure his Liberty with "Force. And these Votes the House Confirm'd, when they were Reported. Though, in the Debate, it was told them, "That they must take heed, that they did not out of Tender- "ness of their Privilege, which was, and must be very pre- "cious to every Man, extend it further, than the Law would "suffer it to be extended: that the House had always been "very severe upon the Breach of any of their Privileges, and "in the Vindicating those Members, who are injur'd; but "that the disposing men to make Themselves Judges, and to "Rescue themselves or others, might be of evil Consequence, "and produce ill Effects; at least if it should fall out to be, "that the Persons were Arrested for Treason, or Felony, or "Breach of the Peace; in either of which Cases, there could "be no Privilege of Parliament. This, though a Known Truth to any, who knew any thing of the Law, was receiv'd with Noise and Clamour, and with wonderful evidence of Dislike, and some faint Contradictions, "That no Such thing "ought to be done, whilst a Parliament was Sitting: and then, falling upon the late Action of the King, and the Merit of those Persons, and without much Contradiction, which was found to be ungrateful, the House Confirm'd all that the Committee had Voted; and then Adjourn'd again for some days, and Order'd the Committee to meet again in the City; which they did Morning and Afternoon; and prepar'd other Votes

Votes of a brighter Allay, and more in the face of the King, and the Law, every day adding to the Fury and Fierceneſs of the precedent. The Houſe met and Sate, only to Confirm the Votes which were paſs'd by the Committee, and to proſecute ſuch Matters, as were by Concert brought to them, by Petition from the City; which was ready to Advance any thing, they were directed; and ſo whilſt the Members yet kept themſelves Conceal'd, many particulars of great Importance were tranſacted in thoſe ſhort Sittings of the Houſe.

THE King about this time, having found the Inconvenience and Miſchief to himſelf of having no Servant of Intereſt and Reputation, and who took his buſineſs to Heart, in the Houſe of Commons, had made the Lord *Falkland* and Sr *John Colepepper*, both Members of that Houſe, and of unblemiſhed Reputations and confeſſed Abilities, of his Privy-Council; and the one, the Lord *Falkland*, his Principal Secretary of State, and Sr *John Colepepper*, Chancellor of the Exchequer; as is ſaid before. And ſo, having now gotten two Counſellors about him, who durſt Truſt one another, and who were Both fit to be Truſted by Him, which he had been without above a Year paſt, to His, and the Kingdom's irreparable Diſadvantage; He thought fit to Publiſh a Declaration to all his Subjects, in Anſwer to the Remonſtrance, he had lately receiv'd from the Houſe of Commons, and was diſpers'd throughout the Kingdom. In which, without the leaſt ſharpneſs or return of the Language he had receiv'd; he took notice "Of the Fears, and Jealouſies (for thoſe were the New words, which ſerved to Juſtify all Indiſpoſitions, and to excuſe all Diſorders) "Which made Impreſſion in the "Minds of his People, with reference to their Religion, their "Liberty, or their Civil Intereſts.

The King's Anſwer to the Houſe of Common's former Remonſtrance.

"As to their Religion, He obſerv'd the Fears to be of "Two ſorts; either as Ours here eſtabliſh'd might be in-"vaded by the Roman Party; or as it was accompanied with "ſome Ceremonies, at which ſome tender Conſciences, or "Really were, or Pretended to be Scandaliz'd. For the firſt, "as there might be any ſuſpicion of Favour or Inclination to "the Papiſts, he ſaid, he was willing to Declare to all the "World, that, as he had been brought up from his Child-hood in, and practiſed that Religion, which was eſtabliſh'd "in the Church of *England*; ſo he believed he could, having "given a good part of his time and pains to the Examination "of the Grounds of it, as it Differ'd from that of *Rome*, "maintain the ſame by Unanſwerable Reaſons; and hoped "he ſhould be ready to Seal it with the effuſion of his Blood, "if it ſhould pleaſe God to call him to that Sacrifice: and "that nothing could be ſo acceptable to him, as any Propo-

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"fition, which might contribute to the Advancement of it "Here, or the Propagation of it Abroad; this being the "greateſt means to draw down a Bleſſing from God upon "himſelf, and this Nation; and if this Profeſſion of his was "wanting to his People, he thought himſelf extreamly Un-"fortunate, for that his conſtant Practice in his own Per-"ſon had always been, without Oſtentation, as much to evi-"dence his Care and Duty therein, as he could poſſibly tell "how to expreſs.

"As for matters of Ceremony, He ſaid, he would, in "Tenderneſs to any number of his loving Subjects, be willing "to comply with the advice of his Parliament, that ſome Law "ſhould be made for the exemption of tender Conſciences "from puniſhment or proſecution for neglecting ſuch Cere-"monies; and in ſuch Caſes, which by the Judgment of moſt "men are held to be matters Indifferent, and of ſome to "be abſolutely Unlawful. Provided, that that Caſe ſhould "be attempted, and purſued with that Modeſty, Temper, "and Submiſſion, that in the mean time the Peace, and "Quiet of the Kingdom ſhould not be diſturbed, the Decen-"cy, and Comelineſs of God's Service not diſcountenanced, "nor the Pious, Sober, and Devout actions of thoſe Reve-"rend perſons, who were the firſt Labourers in the bleſſed Re-"formation, or of that time, be Scandalized, and Defamed. "For, he ſaid, he could not without Grief of Heart, and "without ſome Tax upon himſelf and his Miniſters for the "not executing of the Laws, look upon the bold Licence "of ſome men in Printing of Pamphlets, in Preaching and "Printing of Sermons ſo full of bitterneſs and malice againſt "the preſent Government, againſt the Laws Eſtabliſh'd; ſo "full of Sedition againſt his own Perſon, and the Peace of "the Kingdom; that he was many times amaz'd to conſider "by what Eyes thoſe things were Seen, and by what Ears "they were Heard.

"Concerning the Civil Liberties and Intereſts of the "Subjects, He ſaid, he ſhould need ſay the leſs, having ere-"cted ſo many laſting Monuments of his Princely and Fa-"therly care of his People, in thoſe excellent Laws paſſed by "him this Parliament; which, with very much Content to "himſelf, he ſaid, he conceived to be ſo large and ample, "that very many Sober men had little left to wiſh for of that "Kind. He told them, he very well underſtood the Rights "and particular Advantages, he had Departed from in many "of the Acts he had paſſed; and therefore he had reaſon to "hope, as he had taken all Occaſions to render Their condi-"tion moſt Comfortable and Happy; ſo They would, in grate-"ful and dutiful return, be always ready with equal Tender-

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"nefs and Alacrity to advance His Rights, and prefer His "Honour, upon which their own Security and Subfiftence fo "much depended; and no particular fhould be prefented un- "to him for the Compleating, and Eftablifhing that Security, "to the which he would not with the fame readinefs contri- "bute his beft Affiftance. He faid, if thofe Refolutions were "the effects of his prefent Counfels, and he took God to "Witnefs that they were fuch, and that his Subjects might "confidently expect the Benefit of them from him, certainly "no ill Defign upon the Publick could accompany fuch Re- "folutions; neither could there be great caufe of fufpicion "of any Perfons preferred by him to degrees of Honour, and "places of Truft and Imployment, fince this Parliament: "and therefore, that amongft his Misfortunes he reckoned it "not the leaft, that, having not retain'd in his Service, nor "protected any One perfon, againft whom the Parliament "had excepted, during the whole Sitting of it, and having in "all that time fcarce vouchfafed to any Man an inftance of "his Favour or Grace, but to Such who were under fome "eminent Character of Eftimation amongft the People, there "fhould fo foon be a mif-underftanding or jealoufy of their "Fidelity and Uprightnefs; efpecially in a time, when he "took all occafions to Declare, that he conceiv'd himfelf "capable of being ferved only by Honeft Men, and in Ho- "neft Ways.

"HOWEVER, if He had been miftaken in fuch his Ele- "ction, the Particular fhould no fooner be difcovered to him, "either by His own Obfervation, or other certain Informa- "tion, than he would leave them to Publick Juftice, under "the marks of his Difpleafure. If notwithftanding this, any "Malignant Party fhould take heart, and be willing to Sacri- "fice the Peace and Happinefs of their Country to their own "Siniftcr Ends and Ambitions, under what Pretence of Reli- "gion and Confcience foever; if they fhould endeavour to "leffen his Reputation and Intereft, and to weaken his Law- "ful Power and Authority with his good Subjects; if they "fhould go about, by difcountenancing the prefent Laws, to "loofen the bonds of Government, that all Diforder and "Confufion might break in, He doubted not, but God in his "good Time would difcover Them; and the Wifdom, and "Courage of his High Court of Parliament would joyn with "him in their Suppreffion, and Punifhment.

"HAVING faid all He could, to expreſs the clearneſs and "uprightneſs of his Intentions, and done all he could to ma- "nifeſt thoſe Intentions, He ſaid, he could not but confi- "dently believe, all his good Subjects would acknowledge "His part to be fully perform'd, both in Deeds paſt, and pre-

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"sent Resolutions to Do, what with Justice might be required "of him; and that their Quiet and Prosperity now depended "wholly on Themselves, and was in Their own Power, by "yielding all Obedience and due Reverence to the Law; "which is the Inheritance of every Subject, and the only Se- "curity he can have for his Life, Liberty, and Estate; and the "which being neglected or disesteem'd, under what Specious "shews soever, a great measure of Infelicity, if not an irre- "parable Confusion, must without doubt fall upon them. "And he doubted not, it would be the most acceptable De- "claration a King could make to his Subjects, that he was "not only resolv'd to keep the Laws himself, but to maintain "them against what Opposition soever, though with the ha- "zard of his Being. He hoped the Loyalty, and good Af- "fections of all his Subjects, would Concur with him in the "constant preserving a good Understanding between Him "and his People; and that their own Interest, and Com- "passion of the lamentable Condition of the poor Protestants "in *Ireland*, would invite them to a fair Intelligence and "Unity amongst Themselves; that so they might, with one "heart, intend the relieving, and recovering that unhappy "Kingdom; where those barbarous Rebels practised such in- "human and unheard of Outrages upon the miserable Peo- "ple, that no Christian Ear could hear without horrour, or "Story parallel. He concluded with conjuring all his good "Subjects, of what Degree or Quality soever, by all the bonds "of Love, Duty, and Obedience, that are precious to Good "Men, to joyn with him for the recovery of the Peace of "That Kingdom, and the preservation of the Peace of This; "to remove all the Doubts and Fears, which might interrupt "their Affection to Him, and all their Jealousies and Appre- "hensions, which might lessen their Charity to each Other; "and then, He said, If the Sins of the Nation had not pre- "pared an inevitable Judgment for all, God would make "him a great and glorious King over a Free and Happy "People.

THOUGH this Declaration had afterwards a very good influence upon the People, to his Majesty's advantage; yet for the present it gave no allay to their Distempers. Their Seditious Ministers were dispatched to inflame the Neighbour Counties, and all possible Art was used to inflame the City of *London*; which prevail'd so far, that notwithstanding all the opposition the Lord Mayor of *London*, the Recorder, and the gravest and most substantial Aldermen could make, the Major part of the Common Council prevail'd to send a Petition to the King, in the name of the Mayor, Aldermen, and Common Council of the City of *London*; which was the next

The City Petitions the King.

Sunday Morning deliver'd to him, with great Solemnity, at *White-Hall* by a number chosen of that Body: Representing "The great Dangers, Fears, and Distractions, the City then "was in, by reason of the prevailing progress of the Bloody "Rebels of *Ireland*; the putting out of persons of Honour "and Trust from being Constable and Lieutenant of the "Tower, especially in those times, and the preparations there "lately made; the fortifying *White-Hall* with Men, and Am-"munition in an unusual manner; some of which Men abused "and wounded divers Citizens passing by; the calling in di-"vers Canoneers, and other Assistance into the Tower; the "discovery of divers Fire-works in the hands of Papists, and "the mis-understanding between his Majesty, and the Parlia-"ment. That their Fears were exceedingly increased by his "Majesty's late going into the House of Commons, attended "by a multitude of Armed Men, for the apprehending of "divers Members of that House, to the indangering his "own Person, and the Persons, and Privileges of that Ho-"nourable Assembly. That the effects of those fears tended "not only to the overthrow of the whole Trade of that City "and Kingdom, which they felt already in a deep measure, "but threaten'd the utter ruin of the Protestant Religion, "and the Lives and Liberties of all his Subjects; and there-"fore they pray'd his Majesty, that by the Advice of his "great Council in Parliament, the Protestants in *Ireland* "might be speedily reliev'd; the Tower put into the hands "of Persons of Trust; that by removal of doubtful and un-"known Persons from about *White-Hall*, and *Westminster*, a "known and approved Guard might be appointed for the "Safety of his Majesty, and the Parliament; and that the "Lord *Kimbolton*, and the Five Members of the House of "Commons lately accused, might not be restrain'd of Liberty, "or otherwise proceeded against, than according to the Privi-"leges of Parliament.

THE King very well understood from what Spirit this Petition proceeded, and the inconvenience of giving so much countenance to it, as the very receiving it was, if he could have avoided it. But the Torrent was too strong to be resisted by any direct strength he could raise against it; and therefore he resolv'd to endeavour to divide and reduce them, by the most gracious descending to their pretended Fears, and Apprehensions; and the same day gave them this Answer;

His Majesty's Answer.

"That for the sad business of *Ireland*; he could not possibly "express a greater sense than he had done, there being no-"thing left on His part Unoffer'd, or Undone. For the "Tower, he wonder'd that having remov'd a Servant of "Trust from that Charge, only to satisfy the Fears of the

"City

"City, and put in another of unqueſtionable Reputation and "known ability, the Petitioners ſhould ſtill entertain thoſe "Fears; and whatſoever preparation of ſtrength was there "made, was with as great an eye of Safety and advantage to "the City, as to his own Perſon, and ſhould be equally im-"ployed to both.

"For the fortifying *White-Hall* with men, and Ammuni-"tion in an unuſual way, He doubted not, that they had ob-"ſerved a ſtrange provocation he had received to entertain "that Guard; that, by the diſorderly and tumultuous conflux "of People at *Weſtminſter* and *White-Hall*, his great Council "was not only diſquieted, but his own Royal Perſon in Dan-"ger; moſt Seditious language being uttered even under his "own windows. And if any Citizens had been wounded, or "ill treated, he was confidently aſſured, that it had happened "by their own evil and corrupt Demeanours. For the Fire-"works in the hands of a Papiſt, he knew nothing, nor un-"derſtood Whom, or What They meant.

"For his going to the Houſe of Commons, when his At-"tendants were no otherwiſe armed than as Gentlemen with "Swords, He was perſwaded, that if they knew the clear "grounds, upon which Thoſe Perſons ſtood accuſed of High "Treaſon, and what would be proved againſt them, with "which they ſhould in due time be acquainted, and conſidered "the Gentle way he took for their Apprehenſion (which he "preferred before any courſe of Violence, though that way "had been very Juſtifiable; ſince it was notoriouſly known that "no Privilege of Parliament can extend to Treaſon, Felony, "or breach of Peace) they would believe his going thither "was an Act of grace and favour to that Houſe, and the "moſt peaceable way of having that neceſſary Service per-"formed; there being ſuch Orders made for the reſiſtance "of what Authority ſoever for their Apprehenſion: and for "the proceedings againſt thoſe perſons, he ever intended "the ſame ſhould be with all juſtice and favour, according to "the Laws and Statutes of the Realm; to which all Innocent "men would chearfully ſubmit. And this extraordinary way "of ſatisfying a Petition of ſo unuſual a Nature, he ſaid, he "was confident would be thought the greateſt inſtance, could "be given, of his clear intentions to his Subjects; and of "the ſingular eſteem he had of the good affections of that "City, which he hoped in Gratitude would never be wanting "to his juſt commands and ſervice.

It was no wonder, that they, who at Such a time could be corrupted to frame, and deliver Such a Petition, would not be reformed by ſuch an Anſwer. Neither will it be here unſeaſonable, to ſpend a little time in conſidering how the

affections and tempers of so rich and opulent a City, which could naturally expect to prosper only by Peace, and agreement, were wrought upon, and transported to that degree, as to be the chief Instruments of its own, and the Kingdom's destruction.

The state and temper of the City of London at that time.

The City of *London*, as the Metropolis of *England*, by its Situation the most capable of trade, and by the most usual residence of the Court, and the fixt Station of the Courts of Justice, for the publick administration thereof, throughout the Kingdom, the chief seat of trade, was, by the successive countenance and favour of Princes, strengthen'd with great Charters and Immunities, and was a Corporation governed within it self; the Mayor, Recorder, Aldermen, Sheriffs, chosen by themselves; several Companies incorporated within the great Corporation; which, besides notable Privileges, enjoyed Lands, and perquisites to a very great revenue. By the incredible increase of Trade, which the distractions of other Countries, and the Peace of this brought, and by the great licence of resort thither, it was, since this King's access to the Crown, in Riches, in People, in Buildings marvellously increased, insomuch as the Suburbs were almost equal to the City; a Reformation of which had been often in contemplation, never pursued, wise men foreseeing that such a Fulness could not be there, without an Emptiness in other places; and whilst so many persons of Honour and Estates were so delighted with the City, the Government of the Country must be neglected, besides the excess, and ill husbandry, that would be introduced thereby. But such foresight was interpreted a Morosity, and too great an oppression upon the Common Liberty; and so, little was applied to prevent so growing a Disease.

As it had these, and many other advantages and helps to be Rich, so it was looked upon too much of late time as a Common Stock not easy to be exhausted, and as a Body not to be grieved by ordinary Acts of injustice; and therefore as it was a place of resort, in all cases of necessity, for the suddain borrowing great sums of money, in which they were commonly Merchants too good for the Crown, so it was become a practice, upon any specious pretences, to void the Security that was at any time given for money so borrowed.

Thus after many questionings of their Charter, which were ever removed by considerable sums of money, a Grant made by the King in the beginning of his Reign (in consideration of great sums of money) of good quantities of Land in *Ireland*, and of the City of *Londonderry* there, was voided by a Suit in the *Star-Chamber*; all the Lands, after a vast expence in building and planting, resumed into the King's hands, and

and a Fine of Fifty Thousand pounds imposed upon the City. Which Sentence being pronounced after a long and publick Hearing, during which time, they were often invited to a Composition, both in respect of the substance, and the circumstances of proceeding, made a general Impression in the minds of the Citizens of all Conditions, much to the disadvantage of the Court; and though the King afterwards remitted to them the penalties of that Sentence, they imputed that to the Power of the Parliament, and rather remember'd how the benefit of their Grant had been taken from them, than by whom it was restored; so that, at the beginning of the Parliament, the City was as ill affected to the Court as the Country was; and therefore chose such Burgesses to sit there, as had either eminently Opposed the Court, or accidentally been Oppressed by it.

THE chief Government and Superintendency of the City is in the Mayor, and Aldermen; which, in that little Kingdom, resembles the House of Peers; and the Common Council is the representative body thereof, like the House of Commons, to order and agree to all Taxes, Rates, and such particulars belonging to the Civil Policy. The Common Council are chosen every year, so many for every Parish, of the Wisest, and most Substantial Citizens, by the Vestry, and common Convention of the People of that Parish; and as the Wealthiest, and best Reputed Men were commonly chosen, so, though the Election was once a year, it was formerly scarce ever known, that any Man once chosen was afterwards rejected or left out, except upon discovery of an enormous Crime, and decaying in Fortune to a Bankrupt: otherwise, till he was called to be Alderman, or died, he continued, and was every year return'd of the Common Council.

AFTER the beginning of this Parliament, when those who steer'd at *Westminster* found by their Experience in the Case of the Earl of *Strafford*, of what consequence the City might be to them, and afterwards found by the Courage of the present Lord Mayor, Sr *Richard Gourney*, who cannot be too often or too honourably mention'd, that it might be kept from being disposed by them; and that the Men of Wealth, and Ability, who at first had concurred with them, begun now to discern that they meant to lead them further than they had a mind to go; they directed their Confidents, that at the Election of the Common Council-men by the concurrence and number of the Meaner People, all such who were Moderate Men, and lovers of the present Government, should be rejected; and in their Places Men of the most active and Pragmatical Heads, of how mean Fortunes soever, should be Elected. And by this means that Body in great part now consisted of Up-

ſtart, Factious, Indigent Companions, who were ready to receive all advertiſements and directions from *Weſtminſter*, and as forward to incroach upon their Superiors, the Mayor, and Aldermen. And ſo this firebrand of Privilege inflamed the City at that time.

THAT They might gratify the City in procuring a better Anſwer, than they had receiv'd from the King to their Petition, and that they might more expoſe his Majeſty to their Affronts, the Houſe reſum'd the buſineſs of the Tower again, with the old Reflections upon the removal of the former Good Lieutenant, and the putting in a Rude Perſon and of a deſperate Fortune, as they called him, that he might uſe ſuch Priſoners, as there was an intent to ſend thither, in ſuch a manner as he ſhould be directed; and that the Perſon, who was ſince put in, had put the City into great apprehenſions by the obſervation that was made, that he took great ſtore of Proviſions into the Tower, as if he made proviſion for a greater Garriſon, which raiſed great jealouſies; and there was a Petition brought, and deliver'd to the Houſes in the Names of ſeveral Merchants who uſed to Trade to the Mint; in which they deſired that there might be ſuch a Perſon made Lieutenant of the Tower, "As they could Confide in (an Expreſſion that grew from that time to be much uſed) without which no Man would venture Bullion into the Mint, and by conſequence no Merchant would bring it into the Kingdom. Whereas in truth there was no Gentleman in the Kingdom of a better Reputation amongſt all ſorts of Men, and there had been more Bullion brought into the Mint in the ſhort time of his being Lieutenant, than had been in many Months before; and amongſt thoſe Perſons, which ſo ſolemnly delivered that Petition, and had all ſubſcribed it, there were very few who had ever ſent any Silver into the Mint. However the Houſe entertain'd the complaint as very reaſonable, and ſent for a Conference with the Lords, with whom they prevailed to joyn with them in a deſire to the King, "That he would "remove Sr *John Byron* from being Lieutenant of the Tower, which the King for ſome time refuſed to do, till they preſſed it in another manner; which ſhall be mention'd anon.

The Committee of the Commons ſtill tranſacts in the City.

THE Committee, that ſtill continu'd to Sit in *London*, intended no other buſineſs, but their own Privileges; ſent for, and examined, as hath been ſaid, all Men, who had attended his Majeſty, or had been caſually preſent in the Hall, or at the doors of the Commons Houſe when the King was there; and all ſuch Examinations, as teſtified any extravagant diſcourſe uttered by any looſe Fellow, who had accidentally put himſelf into the company, though it appeared he had no relation to the King's Service, were carefully Enter'd, and Publiſh'd;

Publiſh'd; but ſuch as declared the King's ſtrict Command againſt any Violence, or Diſorder, and his poſitive Charge, that no Man ſhould preſume to follow him into the Houſe of Commons (as full proof was made to them of thoſe particulars) were as carefully Suppreſſed, and Concealed.

THE Sheriffs of *London* had been directed to appoint a Guard to attend the Committee, whilſt it ſhould continue there; and then to Guard the Houſes when they ſhould again ſit at *Weſtminſter*. The Accuſed Perſons, who lodged all this time in the City, were brought to the Committee with much ſtate, and ſate with them to deviſe ſome way to Vindicate themſelves.

THEN a Declaration was agreed upon by the Commons only, in which was ſet forth, "That the Chambers, Studies, and "Trunks of Mr *Hollis*, Sr *Arthur Haſlerig*, Mr *Pym*, Mr *Hambden*, and Mr *Strode*, had been by colour of his Majeſty's "Warrant ſeal'd up; which was not only againſt the Privi- "lege of Parliament, but the common Liberty of every Sub- "ject; that the ſame Members had been the ſame day de- "manded by a Serjeant at Arms to be deliver'd to him, that "he might Arreſt them of High Treaſon; that the next "day his Majeſty came to the Houſe in his own Perſon, at- "tended by a multitude of Arm'd Men in a Warlike manner "with Halberds, Swords, and Piſtols, who came up to the "very door of the Houſe, and placed themſelves there, and "in other places, and paſſages near to the Houſe, to the great "terrour and diſturbance of the Members then Sitting; that "his Majeſty, ſitting in the Speaker's Chair, demanded the "Perſons of thoſe Members to be deliver'd to him; which "was a high breach of the Rights, and Privileges of Parlia- "ment, and inconſiſtent with the Liberties and Freedom "thereof; that afterwards his Majeſty did iſſue forth ſeveral "Warrants to divers Officers under his own hand, for the "apprehenſion of their Perſons, which by Law he could not "do. And thereupon they declared, "That if any Perſon "ſhould arreſt Mr *Hollis*, *&c.* or any other Member of Par- "liament, by pretence of any Warrant iſſuing out from the "King, he was guilty of the Breach of the Privilege of Par- "liament, and a publick Enemy of the Common-wealth; and "that the Arreſting any Member of Parliament, by any War- "rant whatſoever, without conſent of that Houſe, whereof "he is a Member, is a breach of the Privilege of Parliament: "and the Perſon that ſhall ſo Arreſt him, is declared a publick "Enemy to the Common-wealth.

A Declaration of the Commons touching the five Members.

THEY publiſhed that it did fully appear by ſeveral Examinations, "That many Soldiers, Papiſts and others, to the "number of about five hundred, came with his Majeſty to

" the House of Commons, arm'd; and that some of them, " holding up their Pistols cocked near the door of the House, " which they kept open, said, I am a good Marksman, I can " hit right, I warrant you: and said, they would have the " door open; and if any opposition was made, they made no " question but they should maintain their Party; and that some said, " A Pox take the House of Commons, let them be Hang- " ed. And when the King return'd from the House, they ex- " pressed great discontent, asking, When comes the *Word*; that " some of them being demanded what they thought the com- " pany intended to have done, answer'd, That questionless in " the posture they were set in, if the *Word* had been given, " they should have fallen upon the House of Commons, and " have cut all their Throats: upon which they said they were " of opinion, that the Soldiers and Papists coming in that " manner, with his Majesty, was to take away some of the " Members of the House, and if they should have found op- " position, or denial, then to have fallen upon the House in " a hostile manner.

And they did thereupon declare, " That the same was a " Traiterous design against the King and Parliament. And " whereas the Persons accused had, with the Approbation of " the House, absented themselves from the Service of the " House, for avoiding the great and many inconveniences, " which otherwise might have happen'd; since which time, " a Printed Paper in the form of a Proclamation had issued out " for the Apprehending and Imprisoning them, suggesting, that " through the Conscience of their Guilt they were absent, " and fled; they did further declare, " That the said Printed " Paper, was false, and scandalous, and illegal; and that not- " withstanding that Printed Paper, or any Warrant issued out, " or any other matter against them, they might and ought " to attend the Service of the House, and the Committees then " on foot; and that it was lawful for all Persons whatsoever " to lodge, harbour, and converse with them, and whosoever " should be question'd for the same, should be under the Pro- " tection, and Privilege of Parliament.

And they declar'd, " That the publishing the Articles of " High Treason against the Persons accused, was a high breach " of the Privilege of Parliament, a great Scandal to his Ma- " jesty, and his Government, a Seditious act manifestly tend- " ing to the Subversion of the Peace of the Kingdom, and an " injury, and dishonour to the Members; and that the Privi- " leges of Parliament, and Liberties of the Subject so violated " and broken, could not be fully, and sufficiently Vindicated, " unless the King would be graciously pleased to discover the " Names of those Persons, who advised him to do the par-

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"ticular Acts before mention'd, that they might receive Con-"dign Puniſhment.

THIS ſtrange Declaration, ſo contrary to the known rules and judgments of Law, and to the known practice and proceedings of Parliament, was no ſooner framed and agreed upon in the Committee, than it was Printed, and Publiſhed throughout the City, and Kingdom, before it was Confirm'd by, or Reported to the Houſe; which is againſt the cuſtom of Parliament. For, by that cuſtom, no Act done at any Committee ſhould be divulged before the ſame be Reported to the Houſe.

THE truth is, it cannot be expreſſed how great a Change there appear'd to be in the countenance and minds of all ſorts of People, in Town and Country, upon theſe late proceedings of the King. They, who had before even loſt their Spirits, having loſt their Credit, and Reputation, except amongſt the meaneſt People, who could never have been made uſe of by them, when the greater ſhould forſake them; and ſo deſpaired of ever being able to compaſs their deſigns of Malice, or Ambition (and ſome of them had reſumed their old reſolutions of leaving the Kingdom) now again recovered greater Courage than ever, and quickly found that their Credit and Reputation was as great as ever it had been; the Court being reduced to a lower Condition, and to more diſeſteem and neglect than ever it had undergone. All that they had formerly ſaid of Plots and Conſpiracies againſt the Parliament which had before been laughed at, was now thought true and real; and all their fears, and jealouſies looked upon as the effects of their great Wiſdom and Foreſight. All that had been Whiſpered of *Ireland*, was now talked Aloud and Printed; as all other Seditious Pamphlets and Libels were. The Shops of the City generally ſhut up, as if an Enemy were at their Gates ready to enter, and to plunder them; and the People in all places at a Gaze, as if they looked only for directions, and were then diſpoſed to any undertaking.

ON the other ſide, They who had, with the greateſt Courage and Alacrity, oppoſed all their Seditious practiſes, between Grief and Anger were confounded with the conſideration of what had been done, and what was like to follow. They were far from thinking that the accuſed Members had receiv'd much wrong, yet they thought it an unſeaſonable time to call them to an Account for it. That if any thing had been to be done of that kind, there ſhould have been a fitter choice of the Perſons, there being many of the Houſe, of more miſchievous inclinations, and deſigns againſt the King's Perſon and the Government, and were more expoſed to the Publick Prejudice, than the Lord *Kimbolton* was; who was a Civil,

a Civil, and well natured Man, and had rather kept ill Company, than drank deep of that infection and poison, that had wrought upon many others. Then Sr *Arthur Haslerig*, and Mr *Strode*, were Persons of too Low an account and esteem; and though their Virulence, and Malice, was as conspicuous, and transcendent as any Man's, yet their Reputation, and Interest to do mischief otherwise than in concurring in it, was so small, that they gained Credit and Authority by being joyned with the rest, who had indeed a great influence. However, since there was a Resolution to proceed against Those Men, it would have been much better to have caused them to have been all severally Arrested, and sent to the Tower, or to other Prisons, which might have been very easily done before suspected, than to send in that manner to the Houses with that Formality, which would be liable to so many exceptions. At least, they ought so far to have imparted it to Members in both Houses, who might have been trusted, that in the instant of the Accusation, when both Houses were in that Consternation (as in a great Consternation they were) somewhat might have been pressed Confidently towards the King's satisfaction; which would have produced some opposition and contradiction, and might have prevented that Universal concurrence and dejection of Spirit, which seized upon, and possessed both Houses.

But above all, the anger, and indignation was very great and general, that to all the other oversights and presumptions was added the exposing the Dignity, and Majesty, and Safety of the King, in his coming in Person, in that manner, to the House of Commons; and in going the next day, as he did, to the *Guild-Hall*, and to the Lord Mayor's, which drew such Reproaches upon him to his Face. All which was justly imputed to the Lord *Digby*, who had before fewer true Friends than he deserv'd, and had now almost the whole Nation his Enemies, being the most Universally odious of any Man in it.

When the House of Commons had Passed such Votes from the Committee at *Merchant-Taylors-Hall*, as they thought necessary, and had once more Adjourn'd thither, the Committee asked the advise of the House, whether the accused Members might be present with them (who had in truth directed, and governed all their proceedings from the time they Sate there) which was not only approv'd, but those Members required to attend the House the next day it was to Sit, and so to continue the Service of the House, which was then Adjourn'd for three or four days, that the City might appear in such a posture, as should be thought convenient.

The noise was so great of the preparations made in the

City

City to bring the accuſed Members in Triumph to the Parliament, and that the whole Militia would accompany them, whilſt the Sea-men and Mariners made an appearance in Barges, and other Veſſels, upon the *Thames* to *Weſtminſter*, that the King thought it convenient to remove again from *White-Hall*, and ſo on the tenth of *January*, which was the Eve to that great Feſtival, his Majeſty, the Queen, and the Royal Children, went from *White-Hall* to *Hampton Court*, waited on by ſome few of their own Houſhold Servants, and thirty or forty of thoſe Officers, who had attended at *White-Hall* for ſecurity againſt the Tumults. *The King and the Royal Family, remove to Hampton-Court.*

BEFORE His going, he ſent to the Earls of *Eſſex* and *Holland* to attend him in his Journey; who were both by their Places, the one being Lord Chamberlain of his Houſhold, the other the firſt Gentleman of his Bed-Chamber or Groom of the Stole; obliged to that Duty. The Earl of *Eſſex* reſolved to go, and, to that purpoſe, was making himſelf ready, when the Earl of *Holland* came to him, and privately diſſwaded him; aſſuring him, that if they two went, they ſhould be both Murder'd at *Hampton Court*; whereupon they left the King to his ſmall retinue in a moſt diſconſolate, perplexed Condition, in more need of Comfort and Counſel, than they had ever known him; and inſtead of attending their Maſter in that exigent, they went together into the City, where the Committee Sate, and where they were not the leſs welcome for being known to have been invited to have waited upon their Majeſties. They who wiſhed the King beſt, were not ſorry that he then withdrew from *White-Hall*; for the inſolence, with which all that People were tranſported, and the animoſity, which was infuſed into the Hearts of the People in general againſt the Court, and even againſt the Perſon of the King, cannot be expreſſed.

WHILST the Committee Sate in *London*, the Common Council likewiſe met, as hath been ſaid, to the end they might be ready to comply in any particulars ſhould be deſired from the City; and ſo the Committee having Reſolv'd, "That "the actions of the Citizens of *London*, or of any other Per-"ſon whatſoever for the defence of the Parliament, or the "Privileges thereof, or the Preſervation of the Members there-"of, were according to their Duty, and to their late Proteſta-"tion, and the Laws of this Kingdom: and if any Perſon ſhould Arreſt, or Trouble any of them for ſo doing, he was declared "To be a publick Enemy of the Common-wealth: and in the next place having Reſolv'd, "That That Vote ſhould "be made known to the Common Council of the City of "*London*, the Accuſed Members about two of the Clock in the Afternoon on the eleventh of *January*, being the next day after

The accused Members are brought in Triumph to Westminster, Jan. 11.

after the King went to *Hampton-Court*, came from their Lodgings in the City to *Westminster*, guarded by the Sheriffs, and Train'd-bands of *London* and *Westminster*, and attended by a conflux of many thousands of People besides, making a great clamour against Bishops, and Popish Lords, and for the Privileges of Parliament; some of them, as they passed by *White-Hall*, asking with much contempt, "What was become of the "King and his *Cavaliers*? and whither he was gone?

FROM *London* Bridge to *Westminster*, the *Thames* was guarded with above a hundred Lighters and Long-boats, laden with small pieces of Ordnance, and dressed up with Wast-cloaths and Streamers, as ready for Fight. And that the Train'd-bands of *London* might be under the Command of a Person fit to lead them, they granted a Commission to Captain *Skippon*, who was Captain of the Artillery Garden, to be Major-General of the Militia of the City of *London*; an Office never before heard of, nor imagined that they had Authority to constitute. The Man had serv'd very long in *Holland*, and from a Common Soldier had raised himself to the degree of a Captain, and to the reputation of a good Officer; he was a Man of order and sobriety, and untainted with any of those Vices which the Officers of that Army were exercised in; and had newly given over that Service upon some exceptions he had to it; and, coming to *London*, was by some Friends preferred to that command in the Artillery Garden, which was to teach the Citizens the exercise of their Arms. He was altogether illiterate, and having been bred always abroad, brought disaffection enough with him from thence against the Church of *England*, and so was much caressed and trusted by that Party.

THIS Man marched that day in the head of their Tumultuary Army to the Parliament House; where the accused Members were no sooner enter'd, than they magnified "The "great kindness and affection they had found in the City, "and their zeal to the Parliament; and if their expressions of "it upon this extraordinary occasion, had been somewhat "unusual, that the House was engaged in honour to Protect "and Defend them from receiving any damage. Whereupon the Sheriffs of *London* were called into the House of Commons, and thanked by the Speaker for their extraordinary care, and love expressed to the Parliament; and told, "That they "should have an Ordinance of Parliament for their Indemni-"ty, declaring that all their actions of respect and kindness, "which they had shew'd to the Lords and Commons in *Lon-*"*don*, and their attending them to, and at *Westminster*, was "legal and justifiable. The Masters and Officers of Ships were likewise called in, and most heartily thanked for their kindness;

kindneſs; and Serjeant Major-General *Skippon* appointed every day to attend at *Weſtminſter*, with ſuch a Guard as he thought ſufficient for the two Houſes. There was one circumſtance not to be forgotten in the march of the Citizens that day, when the ſhew by Water was little inferior to the other by Land, that the Pikemen had faſten'd to the tops of their pikes, and the reſt in their hats or their boſoms, printed Papers of the Proteſtation which had been taken, and enjoyned by the Houſe of Commons the year before for the defence of the Privilege of Parliament; and many of them had the printed Votes of the King's breaking their Privileges in his coming to the Houſe, and demanding their Members.

The Buckingham-ſhire mens Petition to the Houſe of Commons.

ASSOON as the Citizens and Mariners were diſcharged, ſome *Buckingham-ſhire* men, who were ſaid to be at the Door, with a Petition, and had indeed waited upon the Triumph with a train of ſeveral thouſand men, were called in; who delivered their Petition in the name of the Inhabitants of the County of *Buckingham*, and ſaid it was brought to the Town by about ſix thouſand men. "They commended the unwea-
"ried pains of the Houſe of Commons, for the redreſs of
"the preſſures they had lain under, but complained that the
"ſucceſs was not anſwerable, their endeavours being fru-
"ſtrated or retarded by a Malignant faction of Popiſh Lords,
"Biſhops, and Others; and now of late, to take all that little
"hope, was left, from them, of a future reformation, the
"very Being of the Parliament was ſhaken, the Privileges
"thereof broken in a deſperate and unexampled manner, and
"the Members thereof unaſſured of their lives, in whoſe ſafe-
"ty, the ſafety of Them, and their Poſterity were involved.
"They held it therefore their duty according to their late Pro-
"teſtation to defend, and maintain the Perſons and Privileges
"thereof, to the utmoſt power of their Lives and Eſtates;
"to which purpoſe, they ſaid they were then come to make
"the humble tender of their Service, and would remain in
"expectation of their Commands and Order; to the execu-
"tion whereof they would with all alacrity addreſs them-
"ſelves, ready to live by them, or to die at their feet, a-
"gainſt whomſoever ſhould in any ſort illegally attempt upon
"them.

"THEY beſought them therefore to aſſiſt the ardent Pray-
"ers of the Petitioners, that the Popiſh Lords and Biſhops
"might be forthwith outed the Houſe of Peers; that all Privi-
"leges of Parliament might be confirmed to them, and that
"all evil Counſellors, the *Achans* of the Common-wealth,
"might be given up to the hands of Juſtice; without all
"which, they ſaid, they had not the leaſt hope of *Iſraels* peace,
"or to reap thoſe glorious advantages, which the fourteen
"Months

"Months seed-time of their unparallel'd endeavours had given "to their unsatisfied expectations.

WHEN they had received thanks for their wonderful affection, and were told, that "By the great care of the City of "*London*, the Parliament was sufficiently guarded and assured; "and therefore that they might depart to their Houses till "further occasion appeared, of which they should be sure to "be informed; One of them said, "They had another Peti- "tion, which they meant to prefer to the King; but desired "their advice, whether that House would vouchsafe to re- "commend it, or whether they themselves should deliver it. For that, they received new thanks; and were wished "That "six or eight of them should present it to his Majesty in the "name of the rest; for the House saw their Wisdom and moderation such, that they presumed they of Themselves were very able to manage that business.

They also Petition the House of Lords.

WHEN they had thus caressed the Commons, they went to the House of Lords with another Petition, complaining "of the malignant faction, which render'd the endeavours of "the House of Commons successless, and said "That in re- "spect of that late attempt upon the Honourable House of "Commons, they were come to offer their Service, as resolved "in their just defence to live and die. And therefore they "did humbly pray, that that most Honourable House would "cooperate with the House of Commons, in speedily perfect- "ing the most necessary work of Reformation, bringing to con- "dign and exemplary punishment both wicked Counsellors, "and other Plotters, and Delinquents; and that the whole "Kingdom might be put into such a present posture of De- "fence, that they might be safe both from all practices of the "malignant Party at home, and the endeavours of any ill af- "fected States abroad. The Lords were as Civil to them as the Commons had been, and gave them great thanks. And from thence they went to find out the King with their Petition to Him; in which they complained, "That Mr *Hamb-* "*den*, whom they had chosen Knight of their Shire, and in "whom they had ever good cause to confide, was, to their "great amazement, accused, amongst the others, of High "Treason. They said, that having taken into their serious "consideration the manner of their Impeachment, they could "not but conceive that it did oppugn the Rights of Parlia- "ment, to the maintenance whereof their Protestation did "bind them; and they did believe, that the malice, which "his, and the others Zeal to his Majesty's Service, and the "State, had raised in the Enemies of his Majesty, the Church, "and the Common-wealth, had occasioned that foul Accusa- "tion, rather than any ill deserts of Theirs; and that through

They Petition the King.

"Their

"Their ſides the judgment and care of the Petitioners and "others were wounded, by whoſe choice they were preſented "to the Houſe; and therefore they did humbly deſire his "Majeſty that Mr *Hambden*, and the reſt, who lay under the "burden of that accuſation, might enjoy the juſt Privileges "of Parliament. So from this day we may reaſonably date the Levying of War in *England*; whatſoever hath been ſince done being but the Superſtructures upon thoſe foundations, which were then laid.

The Houſe of Commons revived the Votes paſſed by their Committee in the City, and added more.

THE Members being in this manner placed again upon their Thrones, and the King retired with his poor Family to *Hampton-Court*, they reviewed their Votes, which had paſſed in the Committee in the City, which they had cauſed every night to be printed without ſtaying for the confirmation of the Houſe; and where they had any defect, as they thought, or by the interpretation of others, they ſupplied them with more Strength and Authority. So they provided and declared, "That no Member of Parliament ſhould be arreſted upon "any pretence whatſoever. And becauſe it had been inſiſted on that they would not make any Declaration ſo much againſt the known Law, which allowed no Privilege in the caſe of Treaſon, Felony, or breach of the Peace, they now added that "Even in the Caſe of Treaſon no Member ought or could "be arreſted, or proceeded againſt, without firſt informing "the Houſe of which he was a Member, of the Charge and "Evidence againſt him, and receiving Their leave and dire-"ction for the proceeding againſt him. And that Men might hereafter be more wary how they were made Inſtrumental in bringing any reproach upon them, they Appointed a Committee to prepare a Charge againſt *Herbert* the King's Atturney General for preſuming to accuſe the Members of High Treaſon; which was made ready accordingly, and proſecuted with wonderful vigour, as will be remembred hereafter.

THEY reſolved that the King ſhould not enjoy much eaſe and quiet in his retreat; and therefore every day ſent ſome Committee or other to him with Petitions and Expoſtulations: a Committee of Lords and Commons attended him with a grievous complaint of the Breach of Privilege, they had ſuſtained by his Coming to the Houſe; and deſired him "That "he would inform them who had given him that pernicious "Counſel, that ſuch evil Counſellors might be brought to "juſtice, and receive condign puniſhment. And when they found that the Lord *Digby*, whom they generally believed to be the Author and Contriver of all that tranſaction, though they could have no evidence of it, had withdrawn himſelf from Court, and they well enough knew had tranſported himſelf beyond the Seas, they brought Witneſſes to the Bar, who

who affirmed, "That there were, on such a day, several Offi-"cers, whereof the unbeloved *Lunsford* was one, assembled "together at *Kingston* upon *Thames* near *Hampton-Court*; and "that the Lord *Digby* came thither to them in a Coach with "six Horses from *Hampton-Court*, and conferred with them "a long time, and then returned again thither. They were well satisfied with the evidence, and forthwith accused him to the House of Peers of High Treason, for the Levying of War against the King and Parliament; and a Proclamation was shortly issued out for his Apprehension, when all the Town knew, that he was safely arrived in *Zeland*. They resumed the consideration of the Lieutenant of the Tower; and upon new information that much provision was sent in thither every day, they sent for Sr *John Byron*, who appeared at their Bar, and gave so full answers to all the questions they asked of him, that they could not but dismis him. However they sent again to the King to remove him, and put a fitter man into the place, and recommended Sr *John Coniers* to him, as a man in whom they could Confide; and because they did not speedily receive such an Answer as they liked, they appointed their Major-General *Skippon* to place such Guards about the Tower, as might prevent the carrying in more provision of victual thither, than would serve for one days consumption; notwithstanding which, the King would not consent to their desire.

The Lord Digby accused of High Treason upon pretence of his Levying War at Kingston upon Thames.

ALL Men were now in union in both Houses: the Lords had not yet recover'd the Courage to dissent in any one Proposition made to them from the Commons; and in Their House no man durst presume to Debate the matter of Privilege, how far it extended, and in what Cases it was of no Moment, lest he might be thought to be privy to, and a Counsellor of, that heinous Breach, which had given them all this Credit. In this consent and concurrence, all the Votes, which had passed at the Committee in *London*, and which had been by them communicated to the Common Council, and so divulged throughout the City and Kingdom, were confirmed; and those who objected against any expressions, which were not warrantable, reprehended for taxing the discretion of the Committee.

AND in one day both Houses agreed in, and executed three Acts of Soveraignty, even of as high a nature as any they have since ventured upon; the first, "In commanding "the Sherriffs of *London*, by, and with the advice of their new "Serjeant-Major-General *Skippon*, to place a Guard upon, "that is to besiege the Tower of *London*, to hinder the go-"ing in of any Provisions, or going out of any Arms or Am-"munition; the second, "In appointing Sr *John Hotham* to "go

"go to *Hull*, which will be mention'd anon; the third, "In "ſending an Order to the Governour of *Portſmouth*, that no "body ſhould be admitted into that Town and Fort, or ſuf- "fer'd to paſs from thence, or any thing to be diſpoſed of "there, but by order from the King ſignified by both Houſes "of Parliament.

AFTER this, a meſſage was reſolv'd upon to be ſent to the Governour of the Prince, "That he ſhould not ſuffer the "Prince to be tranſported out of the Kingdom, as he would "anſwer the breach of Truſt repoſed in him concerning Re- "ligion, and the Honour, Safety, and Peace of the three "Kingdoms; and they declared, "That any Perſon who ſhould "perſwade or attend upon him in ſuch tranſportation, ſhould "be under the ſame Cenſure. With theſe high Acts of Pu- blick Concernment they joyned the vindication of themſelves from the late Treſpaſs: and to that end cauſed the Atturney General to be publickly examined upon Interrogatories, "Whether he did contrive, frame, or adviſe the Articles of "Impeachment againſt the Members that were accuſed? Whe- "ther he knew the truth of them upon his Own knowledge, "or by information? Whether he would undertake to make "them good, when he ſhould be thereunto call'd? From "whom he received them, and by whoſe direction or advice he "did exhibit them? Whether he had any teſtimony or proof "of them before the exhibiting? And having received his Anſwer, "That he had neither framed, nor adviſed them, nor "knew any thing of the truth of them, nor could undertake "to juſtify them, but that he had receiv'd them from the "King, and was by him commanded to exhibit them; they preſently declared, "That he had broken the Privilege of Par- "liament in preferring thoſe Articles, and that the ſame was "illegal, and he Criminal for ſo doing; and that a Charge "ſhould be ſent to the Lords, in the name of the Houſe of "Commons, againſt the Atturney General, to have ſatisfa- "ction for the great ſcandal, and injury to the Members "thereof, unleſs he did within five days bring in his Proof, "and make good the Articles againſt them.

The Commons examine the Atturney General touching the Impeachment of the five Members.

His Anſwer.

They Vote a Charge againſt him.

So that they had now raiſed to themſelves an unqueſtion- able ſtock of ſecurity, when they had declared, "That they "might neither be apprehended by a Warrant under the "King's own Hand, nor accuſed by his Atturney General, "except themſelves were willing: and they who had con- cluded it moſt exactly juſt, that the Houſe of Peers muſt Im- priſon their own Members, as faſt as the Commons accuſed them of High Treaſon, and, by that rule, had, within leſs than a week before, freed themſelves of twelve Biſhops, who always oppoſed their deſigns (and in a caſe, where every

Man's Conscience absolved them of the Guilt, of which they were charged) thought it now Unanswerable reason to condemn the Justice of the King's proceedings; "Because if a "man should be committed and imprisoned assoon as the King "accused him of High Treason, the Parliament might by "consequence be Dissolved; since he might successively ac- "cuse the whole Body; which Logick, if they had not pleased to Vote the contrary, would have run as well in their own case, upon their own Licence of accusing, and more dangerously in respect of the House of Peers, which might possibly indeed have been thereby Dissolved.

THOUGH the King had removed himself out of the noise of *Westminster*, yet the effects of it followed him very close; for besides the *Buckingham-shire* Petitioners, who alarm'd him the same or the next day after he came to *Hampton Court*, several of the same nature were every day presented to him, in the name of other Counties of the Kingdom; all which were Printed, and scattered abroad with the Declaration of the Lord *Digby*'s Levying War at *Kingston* upon *Thames*, and the Proclamation for apprehending him; all which being so industriously dispersed, and without any colour or ground of danger, but only that the Kingdom might be inured to the style of the two Houses, and exercised in their commands against the time that they meant to be in earnest, gave the King reason to remove in few days from *Hampton-Court* to his Castle at *Windsor*, where he could be more secure from any suddain popular Attempt; of which he had reason to be very apprehensive, when, after those high Acts of Sedition at *London* and *Westminster* were declared to be according to the Laws of the Land, and the Protestation lately taken; that Protestation was by a new Order enjoyned to be administer'd throughout the Kingdom, and the Names of all those who refused to take it, which there was reason to believe many would upon Their new Glosses, return'd to the House of Commons, who were as severe Inquisitors as could be found any where.

The King removes to Windsor:

FROM thence his Majesty sent a Message to both Houses, "That he took notice, that his proceedings against those "Persons, whom he had accused (naming them) were con- "ceived by many to be illegal, and not agreeable to the Pri- "vilege of Parliament, and that he was so desirous to give "satisfaction to all men in all matters that might seem to "have relation to Privilege of Parliament, that he would wave "his former proceedings; and all doubts being by that means "settled, when the minds of Men were composed, he would "proceed against them in an unquestionable way; and he "assured both Houses, that, upon all occasions, he would be

Thence sends a message to both Houses.

"as

"as careful of their Privileges as of his Life, or his Crown. "To which he added, that, in all his proceedings againſt "thoſe Perſons, he had never the leaſt intention of violating "the leaſt Privilege of Parliament; and in caſe any doubt of "breach of Privilege remain'd, he would be willing to aſſert "it by any reaſonable way his Parliament ſhould adviſe him "to; and therefore he deſired them forthwith to lay by all "jealouſies, and apply themſelves to the publick and preſſing "Affairs, and eſpecially to thoſe of *Ireland*, wherein the good "of the Kingdom, and the true Religion, which ſhould ever "be his firſt care, were ſo highly and ſo nearly concern'd. "And he deſired them, that his care of Their Privileges "might increaſe their care of His Lawful Prerogative, which "was ſo neceſſary to the mutual defence of each other, and "both would be the foundation of a perpetual and perfect in-"telligence between his Majeſty and Parliaments, and of the "happineſs and proſperity of his People.

BUT this Meſſage was not ſuch as they looked for; there ſeem'd ſtill to be left a time for proſecution, and though the errour in Form ſeem'd to be conſented to, yet the Subſtance and Matter of the accuſation might be ſtill inſiſted on. And therefore they took no notice of it, but proceeded in inflaming all Men with the ſenſe of the breach of Privilege; and finding the general mettal ſomewhat to abate, that they might keep up the apprehenſion of danger, and the eſteem of their Darling the City, they conſult about Adjourning both Houſes into *London*; but finding ſome danger of infringing the Act of Parliament, from whence ſome advantage might be taken to their prejudice, till that power might be cleared by a Law, they were contented to Adjourn their Houſes as they had done for ſome days, and to appoint Committees, qualified with more power than the Houſes had, to meet in *London*; which for the convenience of the Common Council, who took up the *Guild-Hall*, choſe to ſit in *Grocers-Hall*.

The Houſes appoint Committees to ſit in Grocers-Hall.

IT was wonder'd, that having all places ſo much at their devotion, they would remove from their more convenient ſeats at *Weſtminſter*; where they might tranſact whatſoever they deſired without interruption, and where they were only diſturbed by their own direction. But the advantage they reaped by it was extraordinary; for, beſides the fears they diſperſed abroad, and the confidence they gave their own Friends of the City by being with them, they were ſure, for the moſt part, to have a Committee to their own hearts deſire; ſince, beſides many out of Lazineſs or Indignation would not attend the Service in ſo inconvenient a place, very many, who troubled them moſt in their Counſels, Durſt not in earneſt go thither, for fear of uncomely Affronts, if not

danger, their names being publiſhed in the tumults as diſaffected perſons; and They were thoſe indeed, which conſtituted the Malignant Party, which they prayed againſt: and they found it much eaſier to tranſact any thing contriv'd and fram'd by ſuch a Committee, than originally offer'd and debated in either Houſe, before the myſtery was underſtood by their Proſelytes, and when thoſe, who too well underſtood it, did render their deſigns ſometimes ineffectual.

THE minds of Men throughout the Kingdom being now prepared to receive all their Dictates with reverence, and to obey all their Orders, and to believe that all their Safety conſiſted in, and depended upon their Authority, and there being few within the Houſe who had Courage to oppoſe and contradict them, they ſent to the Lords to quicken them in the Bill they had formerly ſent to them concerning removing the Biſhops out of their Houſe; which now, when there were ſo many of them Priſoners in the Tower, they preſumed would not meet with ſo great an oppoſition. In the Houſe of Commons they called to have the Bill read, which had layn ſo long there, the ſame that had been brought in by *Saint-John* for the ſettling the Militia of the Kingdom; to which they Now added "The putting all the Forts, Caſtles, and Garriſons into the hands of ſuch Perſons as they could *Confide* "*in*; which was the Expreſſion they uſed, when they had a mind to remove any Man from a place, of which he was juſtly poſſeſſed, "That they could not *Confide* in him, which "they thought to be reaſon enough to diſplace any Man. When this Bill had been with much ado accepted, and firſt read, there were few Men who imagined it would ever receive further countenance: but now there were few, who did not believe it to be a very neceſſary proviſion for the Peace and Safety of the Kingdom. So great an Impreſſion had the late proceedings made upon them; ſo that with little oppoſition it paſſed the Commons, and was ſent up to the Lords.

The Commons go upon Saint-John's *Bill of the Militia, and paſs it.*

UPON the disbanding the late Army in the North, all the Artillery, Arms, and Ammunition, that was provided for that Service, had been by the King's Command ſent to *Hull*, where it ſtill remained; and his Majeſty intended it ſhould be kept there, for a Magazine upon all occaſions. And he had a little before theſe late paſſages ſent the Earl of *New-Caſtle* thither, with a private Commiſſion to be Governour thereof, aſſoon as it ſhould be fit to publiſh ſuch a Command; and in the mean time by his own Intereſt to draw in ſuch of the Country, as were neceſſary to Guard the Magazine. But nothing the King did in the moſt private manner, but was quickly known to thoſe from whom it ſhould moſt have been concealed.

conceal'd. And ſo the Earl of *New-Caſtle* was no ſooner gone, but notice was taken of it; and he had not been three days in *Hull*, before the Houſe of Peers ſent for him, to attend the Service of that Houſe, which he had rarely uſed to do, being for the moſt part at *Richmond* attending upon the Prince of *Wales*, whoſe Governour he was. He made no haſte to return upon the Summons of the Houſe, but ſent to the King to know his Pleaſure; who not thinking matters yet ripe enough to make any ſuch Declaration, appointed him to come away; upon which he appear'd in the Houſe, without being asked where he had been.

Both Houſes move the King that the Magazine at Hull might be removed to the Tower.

BUT both Houſes ſhortly after mov'd the King "That the "Magazine at *Hull* might be remov'd to the Tower of *Lon-* "*don*, which would be very neceſſary for the quieting the "minds of that Country, and abating the Fears and Jealouſies "in the hearts of very many, who did apprehend ſome deſign "in the keeping ſo much Ammunition in the Northern parts: and his Majeſty not giving them a ſpeedy Anſwer, they ſent down Sr *John Hotham*, whoſe Eſtate lay within three or four Miles of *Hull*, and he had ſome Command of the Train'd-bands, "To be Governour thereof, and to draw in ſuch of "the Country as he thought fit for the place. And though *Hotham* had concurr'd with them in all their violent ways, yet they well knew that he was not poſſeſſed with their Principles in any degree, but was very well affected in his judgment to the Government both in Church and State, but had been firſt engaged by his particular malice againſt the Earl of *Strafford*, and afterwards terrified by their Votes againſt Sheriffs and Deputy Lieutenants, and therefore they ſent his Son, a Member likewiſe of the Houſe, and in whom they more Confided, to aſſiſt him in that Service, or rather to be a Spy, upon his Father. And this was the Firſt Eſſay they made of their Sovereign Power over the Militia and the Forts, whilſt their Bill was yet depending, and was a ſufficient manifeſtation what they intended to do, when it ſhould be paſſed; towards which they made all the haſte they could, exerciſing the King's patience every day with ſome diſagreeable Meſſage to him, upon their Privileges, and requiring "Vindi-"cation, and reparation, and diſcovery of the Perſons who "had promoted that Proſecution. And though the Council once a week attended upon his Majeſty at *Windſor*, he could not freely conſult with them upon what moſt concern'd him.

They ſend both the Hothams to Hull.

IN this ſad Condition was the King at *Windſor*, fallen in ten days from a Height and Greatneſs that his Enemies fear'd, to ſuch a Lowneſs, that his own Servants durſt hardly avow the waiting on him. For though, 'tis true, the Acts of the

House of Commons, and the Tumults, were as great affronts, to Majesty, before this last Act upon the Members, as any that could be imagin'd possible to succeed, yet the House of Peers was then well disposed, and might have been managed with a little patience, to have blasted all the extravagances of the Commons. And the truth is, the greatest extravagances appear'd to the standers-by to be but the attempts of Persons in Despair, and the struglings of Men at the last Gasp. And, without doubt, if the King could have had the patience to have sat still a Spectator of the Dissensions between the two Houses, and encouraging the Lords, who were firm to him, and putting those matters in issue, wherein the Commons had invaded both His and the Lord's Privileges; if he had commanded his Council at Law and the Judges, to have proceeded by the strict rules of the Law against Seditious Persons at large, for Preaching and Printing against the peace of the Kingdom, and put the Commons House either to have been quiet, whilst their Champions were exemplarily punished (which would have put a speedy end to their Licence) or to have appear'd the Champions for an Infamous Act against the Law and the Justice of the Kingdom, their Jurisdiction would probably in a short time have been brought within the due Limits, and the stoutest Factor for the Violent Party been glad to have compounded for an Act of Oblivion.

And I have heard from Credible Persons, that the Chief of that Faction afterwards confessed, that if that extraordinary Accident had not happen'd to give them new Credit and Reputation, they were sinking under the weight of the Expectation of those whom they had deluded, and the Envy of those whom they had oppressed. I am sure, they who out of Conscience, and Loyalty to their King and Country, diligently attended the Publick Service, were strangely surprized at the matter and manner of that Accusation; and foresaw, from the minute, the infinite disadvantage it would bring to the King's Affairs. Not that they thought the Gentlemen accused, less Guilty; for their extreme dishonest Acts in the House were so visible, that nothing could have been laid to their Charge incredible: but the going through with it was a matter of so great difficulty and concernment, that every Circumstance ought to have been fully deliberated, and the several parts distributed into such hands, as would not have shaken in the execution. And the saying, that the King had not Competent Persons enough, whom he might trust in so important a Secret (which I believe was true) is rather an Argument, that the thing was not to be attempted at all, than that it was to be attempted in that manner; for whoever would

would have betray'd the Truſt, would be ſure to find fault with it, when it was endeavour'd without him, eſpecially if it miſcarried. The truth is, there was little reaſon to believe that the Houſe of Peers would commit the Lord *Kimbolton* upon the accuſation of Mr Atturney in that conjuncture of time; and leſs that the Houſe of Commons would deliver up their Members to the Serjeant at Arms, when they ſhould be demanded; which was an irregular thing, and implied unreaſonably, that they had ſome Power to keep them, who were deſired to deliver them. Yet if the choice had been better made, and the ſeveral Perſons firſt Apprehended, and put into diſtinct cloſe Cuſtodies, that neither any Body elſe ſhould have heard from them, nor they one from another, all which had not been very difficult, the high Spirit of both Houſes might poſſibly have been ſo dejected, that they might have been Treated withal. But even that attempt had been too great for the Solitary State the King was in at that time; which was moſt naturally to have been improved by ſtanding upon his guard, and denying all that was in his Power to deny, and in compelling his Miniſters to execute the Law in thoſe Caſes that demonſtrably concern'd the Publick Peace.

The Committee at Grocers-Hall deſign a new Remonſtrance.

THE Committee at *Grocers-Hall*, very much exalted to find no oppoſition in any thing they deſired from both Houſes, reſolv'd to make what advantage they could of that Seaſon of their Power; and therefore not vouchſafing to return any Anſwer to the King's Meſſage of retraction, they concluded upon "A new Remonſtrance to be made of the State of the "Kingdom; in which they would preſent to the Kings view "the cauſes of the preſent evils and diſtractions, and propoſe "to him, by way of Advice, the Remedies that in their opi-"nion he was to apply to thoſe evils."

The matter they prepared for it.

"THE Cauſes they agreed to be, the evil Council about "the King and Queen, diſpoſing all occurrences of State, and "abuſing the King's Authority and Power to the prejudice "of Religion, the hazarding the Publick Peace, and ſtrength-"ning a Malignant Party in the Kingdom; the influence, "which the Prieſts and Jeſuits had upon the affections and "Counſels of the Queen, and the admiſſion of her Majeſty to "intermeddle with the Great Affairs of State, and with the "diſpoſing of places and preferments of the Higheſt concern-"ment in the Kingdom; whereby thoſe of great Power and "Authority were engaged to favour ſuch deſigns, as were in-"fuſed into her Majeſty by thoſe of that Religion: the want "of a due Reformation of the Church Government, and Li-"turgy then uſed; the want of a Preaching Miniſtry, and a "competent Maintenance for them; the over ſtrict preſſing

"of divers Ceremonies in the Liturgy and Rubrick, and the "preſſing other Ceremonies not injoyn'd by Law; the Votes "of the Popiſh Lords in the Houſe of Peers, which was a "hindrance of the Reformation, and a protection of the Ma-"lignant Party; the preferring ſuch as had adhered to De-"linquents, and the diſpleaſure ſhew'd againſt thoſe who had "been uſed as Witneſſes in the Proſecution of them; the "breaches of the Privileges of Parliament; and the managing "the great Affairs of the Realm in Cabinet Councils by Men "unknown, and not publickly truſted; the preferring Men to "degrees of Honour and Offices, and diſplacing others, in "Parliament time, and without the conſent of that Council, "and many other particulars; to which they thought theſe "Remedies moſt natural, and proper to be applied.

"THAT all Privy Counſellors, and others of truſt and im-"ployment beyond the Seas, ſhould be remov'd from their "Places, and only ſuch admitted, as ſhould be recommended "to the King by both Houſes of Parliament; and that ſuch "Counſellors and Officers, as ſhould be ſo diſplaced, and not "again recommended, ſhould not have acceſs to the Courts "of the King and Queen: that all Prieſts, Papiſts, and ill af-"fected Perſons, though profeſſing the Proteſtant Religion, "ſhould be remov'd from the Queen's Perſon, and from hav-"ing any Office or Imployment under her, and that all her "Servants ſhould take ſuch an Oath as ſhould be deviſed by "Parliament; that he, or ſhe, would not at any time directly "or indirectly by Him, or Her ſelf, or any other, move or "petition, or ſollicite her Majeſty in any matter concern-"ing the State and Government of the Kingdom, or con-"cerning any favour or immunity to be conferred upon any "Papiſts, or for any Honour, Preferment, or Imployment of "any Perſon whatſoever.

"THAT the King would remove from about his own "Perſon, and the Queen's, and from both their Courts, Mr "*William Murray*, Mr *Porter*, Mr *John Winter*, and Mr *Wil-*"*liam Crofts*, being all Perſons of evil Fame, and Diſaffection "to the Publick Peace and Proſperity of the Kingdom, and "inſtruments of Jealouſy and Diſcontent between the King "and the Parliament: that the King would not entertain any "advice or mediation from the Queen in matters of Reli-"gion, or concerning the Government of any of his Domi-"nions, or for the placing or diſplacing of any great Officers, "Counſellors, Embaſſadors, or Agents beyond the Seas, or "any of his Servants attending his Royal Perſon either in "his Bed-Chamber, or Privy-Chamber, or attending the "Prince, or any of the Royal Iſſue after they ſhall attain to "the Age of five years:

"THAT

"THAT the Queen ſhould take a ſolemn Oath, in the "preſence of both Houſes of Parliament, that ſhe would not "hereafter give any Council, or uſe any mediation to the "King, concerning the diſpoſing of any Offices or Places "above mention'd, or at all intermeddle in any Affairs of "State or Government of the Kingdom: that all Officers "and Counſellors, that ſhould be imploy'd in any of the Places "before mention'd, ſhould take a ſolemn Oath, that they "had not made uſe of any power or mediation of the Queen "directly, or indirectly for their Preferment, or in obtain-"ing any ſuch Place or Imployment: That the Affairs of the "Kingdom ſhould not be concluded or tranſacted by the ad-"vice of Private Men, or by any unknown or unſworn Coun-"ſellors, but ſuch matters as were fit for the Council, by the "Privy Counſellors only; and ſuch as were fit for the Parlia-"ment, by the Parliament only:

"THAT no Perſon whatſoever, under the Penalty of Trea-"ſon, ſhould preſume to ſollicite, or further any propoſition "for the Marriage of any of the King's Children with any "Prince or Perſon of the Popiſh Religion; and that no Mar-"riage for any of the King's Children ſhould be concluded "with any Prince or Perſon whatſoever, without the Con-"ſent and Advice of both Houſes of Parliament: That none "of the King's Children, except the Princeſs *Mary* then af-"fianced, ſhould at any time go beyond the Seas, without the "conſent of both Houſes of Parliament; and that no Perſon "under penalty of High Treaſon ſhould aſſiſt, or attend any "of his Majeſty's Children in any ſuch voyage beyond the "Seas, without the like conſent of both the Houſes of Par-"liament.

"THAT no Maſs, or Popiſh Service, ſhould be ſaid in the "Courts of the King or Queen, or in the Houſe of any Sub-"ject of the Kingdom; and that more Laws ſhould be made "againſt the Papiſts; and all the Prieſts which were con-"demn'd, ſhould be forthwith executed. That the Votes of "Popiſh Lords might be taken away; and a Reformation "made of the Church Government, and Liturgy by the Par-"liament; and that no penalty ſhould be incurr'd for omiſ-"ſion of any Ceremony, till the Reformation ſhould be per-"fect: That all Delinquents ſhould be ſubject to ſuch penal-"ties and forfeitures as ſhould be agreed on, and impoſed by "Bill, in both Houſes of Parliament: That ſuch as ſhould "be declared in Parliament to adhere to any Delinquents, and "had thereupon receiv'd any Preferment from the King, "ſhould be remov'd from ſuch Preferment; and ſuch as "ſhould be declared by both Houſes to have been imployed "and uſed againſt Delinquents, and had thereupon fallen into

"the

"the King's displeasure, and been put from their Places, should "be restored to their Places, and his Majesty's Favour:

"THAT every Person, who, being a Member of the House "of Commons in that Parliament, had been accused of any "Offence against that House, and, the Accusation depending, "had been called up to the House of Lords in the quality of "a Peer, should by Act of Parliament be put out of that "House; and that hereafter no Member of the House of "Commons should without their consent be called up to be "a Peer, except in case of Descent: That no Person, which "should hereafter be made a Peer of the Realm, should be "admitted to have his Seat, or Vote in the House of Peers, "without the consent of both Houses of Parliament: That "those Members of the House of Commons, who had this "Parliament been called to the House of Peers, except in case "of Descent, should be excluded from giving their Votes in "the House of Peers, unless both Houses of Parliament "should assent thereunto: That no Member of either House "of Parliament should be preferred or displaced, sitting the "Parliament, without the consent of that House, whereof "he was a Member: That such of either House as had been "preferred to any Place or Office, during the Parliament, "might be put out of those Places:

"THAT the King would declare the Names of those "who advised him to the accusation of the Members, and all "the particulars that ensued upon that accusation; and that "he would make publick Declaration and promise in Parlia-"ment never more to receive information from any Man to "the prejudice of any Member of either House, for any thing "done in that House, without discovering the Name of such "Person who gave him such information.

THESE, and many other particulars of the like nature, were the results of that Committee at *Grocers-Hall*; which I insert here, being the proper time of their Birth, that the World may see, what their Projections were in the Infancy of their visible power and advantage, though they were not digested into avow'd propositions till long after, as the effects of riper divisions, and fuller grown jealousies. For by that time they had shaped and framed their Devices, they found the Eyes of the People not so universally shut as they had been; and that the King's coming to the House of Commons, or the accusing the Members, was not more spoken of than the Tumults, and the driving the King out of *London*, and not suffering him to be quiet at *Hampton-Court*. Then the Lords begun to take new Courage, and though they were somewhat intoxicated with the fears and jealousies concerning their Privileges, yet they thought Trespasses of that kind ca-

pable

pable of reparation, and so were willing to receive any Overture from the King to that purpose. It was concluded therefore, "The time was not yet ripe to do all at once, till more "Men were engaged, and resolv'd, "With more patience to "win their ground by inches.

THE King continued at *Windsor* to expect the end, or the issue of this Tempest; and finding that they hardly would take notice of his former Messages, but proceeded in the High-ways of Destruction, for he had advertisement of their most secret Combinations, resolv'd to send such a Message to the two Houses, whose United Reputation was yet too great to struggle with, as might at least divide Those, who desired the Publick Peace, from the Ministers of Confusion: and so on the 20th of *January* sent this Proposition and Message to them in writing "For preventing those evils, which the manifold "Distractions threaten'd to the Kingdom; that they would "with all speed fall into a serious Consideration of all those "particulars, which they held necessary, as well for the up-"holding and maintaining the King's just and Regal Autho-"rity, and the Settling his Revenue, as for the present and "future Establishment of their Privileges, the free and quiet "enjoying of their Estates, and Fortunes, the Liberties of their "Persons, the security of the true Religion now professed "in the Church of *England*, and the Settling of Ceremonies "in such a manner, as might take away all just offence; "which when they should have digested, and composed into "one entire Body, that so his Majesty and themselves might "be able to make the more clear judgment of them, it should "then appear, by what his Majesty would do, how far he "had been from intending, or designing any of those things, "which the two great Fears and Jealousies of some Persons "seem'd to apprehend; and how ready he would be to equal, "and exceed the greatest Examples of the most indulgent "Princes in their Acts of grace and favour to their People; "so that if all the present Distractions, which so apparently "threaten'd the ruine of the Kingdom, did not, by the bless-"sing of Almighty God, end in a happy and blessed Accom-"modation, his Majesty would then be ready to call Heaven "and Earth, God and Man, to witness, that it had not failed "on His part.

The King's Proposition and Message to both Houses, Jan. 20.

THIS Message was receiv'd by the Lords with great signs of joy, insomuch that they desired the Commons to joyn with them in returning their Thanks to his Majesty for his gracious offers, and to assure him, "That they would forthwith apply "themselves to those considerations, he proposed. However the next day they joyned together in a Petition to the King, "That he would, in very few days, send in his Proofs, and "proceed

Both Houses Petition the King about the accused Members.

"proceed against the Members he had Accused of High Trea-
"son, or declare them to be Innocent, and himself to be
"ill advised; to the which he Answer'd, "That he was ready
"to proceed against them, but that there might be no new
"mistakes in the way, and form of the proceedings, he de-
"sired, that it might be first resolv'd, whether his Majesty
"were bound in respect of Privileges to proceed against them
"by Impeachment in Parliament, or whether he were at li-
"berty to prefer an Indictmen at Common Law in the usual
"way, or whether he had his choice of either; before that
"was resolv'd, his Majesty thought it unusual and unfit to dis-
"cover what Proof he had against them; but then he would
"give such speedy direction for Prosecution, as might put a
"determination to the business.

His Majesty's Answer.

THIS gave them new Offence and Trouble; and if the King's Council had had the Courage to have insisted upon the matter of Law, and the Lords would have given them reasonable countenance, they would have been much puzled to have procured a Resolution that would have serv'd their purposes to all parts, and been content to have suspended their judgment, that so the King might have suspended his prosecution. For if the Judges had been called to deliver their opinions in point of Law, which they ought to have been, they could not have avoided the declaring, that by the known Law, which had been confessed in all times and ages, no Privilege of Parliament could extend in the case of Treason; but that every Parliament Man was Then in the condition of every other Subject, and to be proceeded against accordingly. In the next place, as they would never have ventured themselves upon the House of Peers under an Impeachment, and thereby made them their Judges, which indeed was incongruous, every Subject being to be Try'd for his Life *per Pares, vel per Legem Terræ*, to both which the Lords, and the Impeachment, were directly opposite; so they would less have trusted an Indictment at Law, and a well chosen sober Jury, who had been bound to follow their Evidence of Fact, and were not Judges of the Law, which was severe in any Conspiracy against the Crown, or the Persons of King or Queen.

BUT having shut the doors against any mention of Law, they made no scruple of resolving, and answering his Majesty, "That they were first to see the Evidence he had to prove
"the guilt, before they could give any direction for the man-
"ner of the Prosecution, and Proceeding; which they ground-
ed upon a Maxim, that had but lately established, though never till then heard of; "That no Member of Parliament,
"for what Offence soever, could be Arrested, or proceeded
"against, but by the consent of that House of which he was
"a Mem-

"a Member; and then, they said, they could not give, or de-
"ny their consent by any other measure than the Knowledge
"of the Crime and Proof, upon which such Member stood
"accused. Which Conclusion had been reasonable had the Premises been just; whereas the argument was to be inverted, that Their consent was not to be asked, because they had no Cognisance of the Crime of which their Members were accused, nor were Judges whether their accusation were valid in Law, or sufficiently proved in Fact.

Observations touching Privilege of Parliament.

It is not to be believed how many sober, well-minded Men, who were real Lovers of the Peace of the Kingdom, and had a full submission, and reverence to the Known Laws, were imposed upon, and had their Understandings confounded, and so their Wills perverted, by the mere mention of Privilege of Parliament; which instead of the plain, and intelligible notion of it, was by the dexterity of those Boutefeus, and their under-Agents of the Law, and the Supine Sottishness of the People, render'd such a mystery, as could be only explain'd by Themselves, and extended as far as they found necessary for their occasions, and was to be acknowledged a good reason for any thing that no Other reason could be given for. "We are, say they, and have been always con-
"fessed, the only Judges of our own Privileges; and therefore
"whatsoever we declare to be our Privilege, is such: other-
"wise whosoever determines that it is Not so, makes himself
"Judge of that, whereof the Cognisance only belongs to Us. And this Sophistical Riddle perplexed many, who, notwithstanding the desperate Consequence they saw must result from such Logick, taking the first Proposition for true, which, being rightly understood, is so, have not been able to wind themselves out of the Labyrinth of the Conclusion: I say the Proposition Rightly understood: They are the only Judges of their own Privileges, that is, upon the Breach of those Privileges, which the Law hath declared to be their own, and what punishment is to be inflicted upon such Breach. But there can be no Privilege, of which the Law doth not take notice, and which is not pleadable by, and at Law.

The truth and clearness of this will best appear by Instance: If I am Arrested by Process out of any Court, I am to plead in the Court, that I am a Member of Parliament, and that, by the Privilege of Parliament, my Person ought to be free from Arrests. Upon this Plea the Judge is bound to discharge me; and if he does not, he is a Criminal, as for any other trespass against the Law: but the punishing the Person, who hath made this infringement, is not within His Power, but proper to that Jurisdiction, against which the contempt is; therefore that House, of which I am a Member, upon complaint

plaint made of such an Arrest, usually sends for the Persons culpable, the party at whose Suit the Arrest is made, and the Officers which executed it, and commits them to Prison, till they make acknowledgment of their Offence. But that House never sends, at least never did till this Parliament, any Order to the Court out of which the Process issued, to stay the proceedings at Law, because the Privilege ought to be legally pleaded. So, after the Dissolution of Parliament, if I am Arrested within the days of Privilege, upon any plea of Privilege the Court discharges me; but then the Party that Arrests me, escapes punishment till the next Parliament, the Judge having no more power to commit the man that sued or arrested me, than he hath to imprison a man for bringing an Action at Law, when he hath no good title; neither is He Judge of the contempt.

AGAIN, if a man brings an Information, or an Action of the Case, for words spoken by me, and I plead that the words were spoken by me in Parliament, when I was a Member there, and that it is against the Privilege of Parliament, that I should be impleaded in any other place, for the words I spoke There; I ought to be discharged from this Action or Information, because this Privilege is known, and pleadable at Law; but that Judge can neither punish, nor examine the breach of Privilege, nor Censure the contempt. And this is the true and proper meaning of the old receiv'd Axiom, that they are Judges only of their own Privileges.

AND indeed these two, of freedom from Arrests for their Persons (which originally hath not been of that latitude to make a Parliament a Sanctuary for Bankrupts, where any Person out-lawed hath been declared incapable of being return'd thither a Member) and of liberty of Speech, were accounted their chiefest Privileges of Parliament: For their other, of Access to the King, and correspondence by Conference with the Lords, are rather of the Essence of their Councils, than Privileges belonging to them. But that their being Judges of their Privileges should qualify them to make New Privileges, or that their Judgment should Create them such, as it was a doctrine never before Now heard of, so it could not but produce all those Monstrous effects we have seen; when they have assumed to swallow all the Rights and Prerogatives of the Crown, the Liberties and Lands of the Church, the Power and Jurisdiction of the Peers, in a word, the Religion, Laws, and Liberties of *England*, in the bottomless and insatiable Gulph of their own Privileges. And no doubt these invasions, or pretence of Privilege, will hereafter be judged to have been the most unparallel'd, and capital Breach of those Privileges, that had ever yet been attempted.

IN

In the Addreſs, which the Houſe of Commons prepared for acknowledgement of the King's Grace and favour in his Meſſage of the twentieth of *January*, they had deſired, "That "for a ground of their Confidence, and removal of Jealouſies, "that they might apply themſelves to give his Majeſty ſatiſ- "faction in the Method he propoſed, his Majeſty would "preſently put the Tower of *London* into the hands of ſuch "a perſon, as Both Houſes ſhould recommend to him; in which the Lords Differ'd with them; as well for that the diſpoſal of the cuſtody thereof was the King's peculiar Right and Prerogative, as likewiſe that his Majeſty had committed the charge thereof to Sr *John Byron*, a perſon of a very Ancient family, an honourable extraction, and good Fortune, and as unblemiſhed a Reputation, as any Gentleman of *England*. The Commons, much troubled that the Lords ſhould again take the courage to diſſent from them in any thing, reſolv'd to preſs the King upon their Own ſcore, and to get the recommendation of ſo great an Officer to Themſelves.

The Lords and Commons differ about addreſſing for removing Sr John Byron *from the Tower.*

And therefore on the ſix and twentieth day of *January*, they ſent a Petition to him in the name of the Knights, Citizens, and Burgeſſes, of the Commons Houſe aſſembled in Parliament; in which they took notice "Of the gracious "Meſſage from his Majeſty of the twentieth inſtant, for which "they return'd moſt humble thanks, reſolving to take it into "ſpeedy and ſerious conſideration, and ſaid to enable them "with ſecurity to diſcharge their duties therein, they had "deſired the houſe of Peers to joyn with them, in humbly "beſeeching his Majeſty to raiſe up unto them a ſure ground "of Safety and Confidence, by putting the Tower, and other "principal Forts of the Kingdom, and the whole Militia "thereof, into the hands of Such perſons as his Parliament "might Confide in, and as ſhould be recommended unto "him by Both Houſes of Parliament; that, all Fears and Jea- "louſies being laid aſide, they might with cheerfulneſs pro- "ceed to ſuch Reſolutions, as they hoped would lay a ſure "foundation of Honour, Greatneſs, and Glory to his Maje- "ſty, and his Royal Poſterity, and of happineſs and proſpe- "rity unto his Subjects throughout all his Dominions; where- "in the Houſe of Peers had refuſed to joyn with them. But "they, notwithſtanding, no way diſcouraged, but confiding "in his Majeſty's goodneſs to his people, did therefore make "their humble Addreſs to him to beſeech him, that the Tower "of *London*, and other principal Forts, and the whole Mili- "tia of the Kingdom, might be put into the hands of ſuch "perſons as ſhould be recommended to him by the Houſe of "Commons; not doubting but they ſhould receive a Gra- "cious and ſpeedy Anſwer to that their humble Deſire, without

The Commons by themſelves Petition the King to do it, and to put all the other Forts and the Militia into the hands of Confiding men.

"which

"which in all Humane reason, the great Distractions of the "Kingdom must needs overwhelm it with misery and Ruine.

THE King was not troubled at the receipt of this Petition, glad, that since they could not be brought to such a degree of Reasonableness, as might make up all breaches, they would be so peremptorily Unreasonable as might probably sever Those from them who were not so Desperate as themselves; and he hoped, that when the People should observe that this grasping of the Militia of the Kingdom into their own hands, as an expedient for the composing their high grown Fears and Jealousies, was no more than they desired the Summer before when Sr *Arthur Haslerig* brought in his Bill into the House of Commons, which is before remembred, when that title of Fears and Jealousies was not discover'd; and when the Peers should observe, that the House of Commons insolently Demanded, by their own Single Suffrage, the deputing men to Places of that vast Importance, they would both conclude, that those Immodest Askers were not only fit to be Denied, but Reformed: yet believing that Real and Just Fears might grow up, to discountenance and suppress those Imaginary ones, his Majesty vouchsafed a very soft and gentle Answer to that Petition; and told them, "That he hoped his gracious "Message would have produced some such Overture, as by "offering what was fit on Their parts to do, and by asking "what was proper for Him to grant, might have begot a "mutual Confidence in each other. Concerning the Tower "of *London*, that He did not expect, having preferr'd a per- "son of a known Fortune and unquestionable Reputation, to "that Trust, that he should have been pressed to remove "him without any particular Charge objected against him; "however, that if, upon due examination, any particular "should be presented to him, whereby it might appear he "was mistaken in his good opinion of that Gentleman, and "that he was unfit for the Trust committed to him, he would "make no scruple of discahrging him; otherwise, he was "obliged in justice to himself, to preserve his Own work, lest "his Favour and good Opinion might prove a Disadvantage "and Misfortune to his Servants, without any other Accu- "sation; of which he hoped his House of Commons would "be so tender, as of a business, wherein his Honour was "much concern'd; and if they found no material Exceptions "against that person, they would rather endeavour to satisfy "and Reform the Fears of other men, than, by complying "with them, press his Majesty to any thing which did so "much reflect upon his Honour, and Justice.

His Majesty's Answer.

"FOR the Forts and Castles of the Kingdom, that he was "resolv'd they should always be in such hands, and Only in "such

"such, as the Parliament might safely Confide in; but the "Nomination of any Persons to those Places, being so prin- "cipal and inseperable a flower of his Crown, vested in him, "and derived to him from his Ancestors by the fundamental "Laws of the Kingdom, he would reserve to himself; in "bestowing whereof, as he would take care that no corrupt "or sinister courses should prevail with him, so he was will- "ing to declare, that he should not be induced to express "that Favour so soon to any persons, as to those, whose "good Demeanour should be Eminent in, or to his Parliament. "And if he then had, or should at any time, by mis-informa- "tion confer such a Trust upon an Undeserving Person, he "was, and would always be, ready to leave him to the Wis- "dom and Justice of the Parliament.

"For the Militia of the Kingdom, which by the Law was "subject to no Command but of his Majesty, and of Autho- "rity lawfully derived from him, he said, when any parti- "cular course for ordering the same should be considered, and "digested, and proposed to him, he would return such an "Answer as should be agreeable to his Honour, and the "Safety of his People, he being resolv'd only to deny those "things, the Granting whereof would alter the fundamental "Laws, and endanger the very foundation, upon which the "Publick happiness and welfare of his People was founded "and constituted, and which would nourish a greater, and "more destructive Jealousy between the Crown, and the Sub- "ject, than any of those, which would seem to be taken away "by such a satisfaction.

"He said, he was not willing to doubt, that his having "granted more than ever King had granted, would perswade "Them to ask more than ever Subjects had asked: but if they "should acquaint him with the particular grounds of their "Doubts and their Fears, he would very willingly apply "Remedies proportionable to those Fears; for he called God "to witness, that the preservation of the Publick Peace, the "Law, and the Liberty of the Subject, was, and should al- "ways be, as much his Care as his own Life, or the Lives of "his dearest Children.

"And therefore he did conjure them by all the Acts of "Favour they had receiv'd from him this Parliament, by "their hopes of future happiness in his Majesty, and in one "another, by their love of Religion, and the Peace of the "Kingdom, in which he said, that of *Ireland* was included, "that they would not be transported by Jealousies, and ap- "prehensions of Possible Dangers, to put themselves or his "Majesty, into Real and Present Inconveniences; but that "they would speedily pursue the way proposed by his former

"Message, which, in Human Reason, was the only way to "compose the Distractions of the Kingdom, and, with God's "blessing, would restore a great measure of felicity to King "and People.

THIS Answer being not only a denial, but such an Expostulation as would render their Counsels of less reverence to the People, if upon those reasons they should recede from what they had with that Confidence, and disdain of the House of Peers demanded of the King; they therefore resolv'd to set up their rest upon that stake, and to go through with it, or perish in the attempt. And, to this purpose, they again muster up their Friends in the City, and send their Emissaries abroad to teach the People a new language. All Petitions must now desire, "That the Kingdom might be put into a "posture of Defence, and nothing else would serve to defend "them from the many Plots and Conspiracies against them, "or secure them from their own Fears and Jealousies. More Petitions were presented to the House of Commons by some Citizens of *London*, in the name of those Merchants, that usually Traded to the Mint with Bullion, who pretended "That their Fears and Jealousies were so great, that they durst "not carry their Bullion to the Tower, being not satisfied "with the present Lieutenant there; and therefore desired "that he might be removed; and more to the like purpose.

THEY had wholly undertaken the managing of the War in *Ireland*, and really, for many reasons, neither did use, nor desired to use, any great Expedition in that work; yet having with great industry infused into the minds of the People, at least a Suspicion, that the Court favour'd that Rebellion, they always made use of the slowness in those proceedings to the King's disadvantage. About that time, they had desired the City to furnish them with one hundred thousand pounds, for the Levying, and accommodating Forces to be sent into that Kingdom, which gave the Common Council, where such Loans were always transacted, opportunity to return their opinions, and advice upon the general State of Affairs. They said, "They could lend no more Money by reason of those "obstructions, which threatned the Peace of this Kingdom, "and had already render'd it even desperate: that the not "passing the Bill against Pressing of Soldiers, which still de-"pended with the Lords, upon those reasons formerly men-"tioned at large, put many Men into fears, that there was "some design rather to lose that Kingdom, and to consume "This in the loss of it, than to preserve either the one, or "the other; and that the Rebels were grown so strong there, "that they made account speedily to extirpate the British "Nation in that Kingdom; and that they intended Then, as

The Commons desire to borrow money of the City.

The Common Council's Answer.

"they

"they already bragged, to come over, and make This the "Seat of the War.

"THAT the not putting the Forts into ſuch hands, in "whom the Parliament might Confide, the not ſettling the "Kingdom in a poſture of Defence, the not removing the "preſent Lieutenant of the Tower, and putting ſuch a Perſon "into that place, as might be well approved by the Parlia- "ment, could not but overthrow Trading more and more, "and make Monies yet more ſcarce in the City and Kingdom. "That the miſunderſtanding between the King and Parlia- "ment, the not vindicating the Privileges thereof, the char- "ging ſome Members of Treaſon to the deterring of others "from diſcharging their Duties, and to the deſtroying the "very Being of Parliaments, did exceedingly fill the minds of "Men well affected to the Publick, with many fears and diſ- "couragements; and ſo diſable them from yielding that "chearful aſſiſtance, which they would be glad to afford. "That by this means there was ſuch a decay of Trading, "and ſuch ſcarcity of Money, neither of which could be "cured, till the former evils were removed, as it was like, in "very ſhort time, to caſt innumerable multitudes of Poor Ar- "tificers into ſuch a depth of Poverty and Extremity, as "might enforce them upon ſome dangerous and deſperate At- "tempts, not fit to be Expreſſed, much leſs to be Juſtified; "which they left to the Houſe ſpeedily to conſider, and pre- "vent. Theſe evils, under which they did exceedingly la- "bour and languiſh, they ſaid, did ſpring from the imploying "of ill affected perſons in places of Truſt and Honour in the "State, and near to the Perſon of the King; and that they "were ſtill continued by means of the Votes of Biſhops, and "Popiſh Lords, in the Houſe of Peers. And ſo having faith- "fully repreſented, they ſaid, the true Reaſons, which really "enforced them to return that Anſwer, they craved leave to "proteſt before God and the High Court of Parliament, that "if any further miſeries befel their dear Brethren in *Ireland*, "or if any miſchief ſhould break in upon this Kingdom, to "the endangering or diſturbing the Peace thereof, it ought "not to be imputed to Them, but only to ſuch, who ſhould "endeavour to hinder the effectual and ſpeedy cure of thoſe "evils before recited, which did ſo much diſable and diſcourage "them from doing that which the Houſe had deſired of "them.

AT the ſame time, were preſented other Petitions, ſub- ſcribed by many thouſand hands, and in the names of the Knights, Gentlemen and Freeholders, and other Inhabitants, of the Counties of *Middleſex*, *Eſſex*, and *Hertford*; all which ſeverally inveighed againſt the Malignant Party, which ren- *Petitions likewiſe from ſeveral Counties concerning the Militia.*

der'd the good endeavours of the House of Commons fruitless; "Desired that the Votes of the Bishops, and Popish "Lords, might be taken out of the House of Peers; that they "might be put into a posture of defence, and the Forts, and "Castles of the Kingdom, into such hands as the Parliament "might Confide in; that so *Ireland* might be relieved, and "this Kingdom made happy. One of them adding, that the "Malignant Party of Prelates and Papists, and their adherents, "were inconsistent with the happy success of the Parliament. These Petitions, and the Answer of the Common Council of *London*, were thought ample materials for a Conference with the Lords, who might be thereby remember'd of their Duty; and to that purpose Mr *Pym* delivered them at a Conference, and after they were read, told them, "That their Lordships "might in those Petitions hear the Voice, or rather the Cry "of all *England*; and that they were not to wonder if the ur-"gency, the Extremity of the condition we were all in, did "produce some earnestness and vehemency of expression more "than ordinary; the agony, terrour, and perplexity, in which "the Kingdom laboured, was universal, all parts were affect-"ed with it; and therefore in those Petitions they might ob-"serve the Groans and miserable Complaints of all. After a long discourse of the great and notorious dangers the Kingdom was in, by Invasions threaten'd from abroad, and Insurrections from within, he told them, "The Obstructions, that had "brought them into that Distemper, were principally the ob-"struction of Reformation in matters of Religion; and that "there was never Church or State afflicted with more grie-"vances of That kind, than we had been; and that though "they were partly eased and diminished by the wisdom of "the Parliament, yet many still remain'd; and as long as the "Bishops, and the corrupt part of the Clergy, continued in "their power, there would be little hope of freedom, either "from the sense of those that continued, or the fear of those "which were removed. And of That obstruction, he said, "he must clear the Commons, who were in no part guilty "of it. Some good Bills they had already passed, and others "were in preparation, and might have been passed before "that time, if they had not found such ill success in the other "House: whatsoever mischief that obstruction should pro-"duce, They were free from it; they might have their part "of the Misery, they could have none in the Guilt or Disho-"nour.

Mr Pym delivers the Petitions to the Lords at a Conference.

He told them "There was great obstruction in Trade, "which brought food and nourishment to the Kingdom; and "then having inlarged himself with enumeration of the no-"table benefits the Kingdom received by the fulness of Trade,

"he

"he ſaid, he muſt proteſt, the Houſe of Commons had given "no cauſe to that obſtruction: They had eaſed Trade of "many Burthens, and heavy Taxes, and had freed it from "many hard reſtraints by Patents and Monopolies; they had "ſought to put the Merchants into ſecurity and confidence "in reſpect of the Tower of *London*, that ſo they might be "invited to bring in their Bullion to the Mint, as heretofore "they had done; they were no way guilty of the Troubles, "the Fears, and Publick dangers, which made Men withdraw "their Stocks, and keep their Money by them, to be ready "for ſuch ſuddain exigents, as, in thoſe great diſtractions, "they had too great cauſe to expect.

"THERE was an obſtruction, he ſaid, in the relief of "*Ireland*, but he muſt declare the Commons were altogether "innocent of any neglect therein; they had agreed to the Le-"vies of Men and Money, and from time to time, done all for "the furtherance thereof, though in the midſt of many diſtra-"ctions and diverſions; but the want of Commiſſions for "Levying Men, that was the Bill about Preſſing, and divers "other impediments, had been the cauſes of that obſtru-"ction. Nay, he ſaid, he did not only find impediments to "themſelves, but incouragement to the Rebels; for many of "the chief Commanders now in the head of the Rebels, after "both Houſes had ſtopped the Ports againſt all *Iriſh* Papiſts, "had been ſuffer'd to Paſs, by his Majeſty's immediate War-"rants, much to the diſcouragement of the Lords Juſtices and "Council there, which were procured by ſome evil inſtru-"ments too near his Royal Perſon, and, they believ'd with-"out his knowledge and intention.

HE ſaid "There was an obſtruction in providing for the "defence of the Kingdom, that they might be inabled to "reſiſt a Forreign Enemy, and to ſuppreſs all civil Inſurre-"ctions: what endeavour they had uſed to remove them, but "hitherto without that Succeſs and Concurrence which they "expected, and where their ſtop had been, and upon what "grounds they might proclaim their own Innocency and Faith-"fulneſs in that particular, they deſired no other Witneſſes "but their Lordſhips.

He told them, "The evil influences, which had cauſed "that Diſtemper, where the evil Councils about the King, "the great Power, that a Factious and Intereſted Party had "in Parliament by the continuance of the Votes of the Biſhops, "and Popiſh Lords, in their Lordſhip's Houſe, and the ta-"king in of others out of the Houſe of Commons, and other-"wiſe to encreaſe their ſtrength, the fomenting a Malignant "Party throughout the Kingdom, the Jealouſies between the "King, and his Parliament. And after many bitter and Se-

ditious expreſſions of the Court, and of all thoſe who were not of his mind, he concluded, "That he had nothing to propoſe to their Lordſhips by way of requeſt or deſire from "the Houſe of Commons; he doubted not, but their Judg-"ments would tell them what was to be done; their Con-"ſciences, their Honours, their Intereſts, would call upon "them for the doing of it. The Commons would be glad "to have their help and concurrence in ſaving the Kingdom; "but if their Lordſhips ſhould fail, it ſhould not diſcourage "them in doing their Duty; and whether the Kingdom "be loſt, or ſaved, they ſhould be ſorry, that the ſtory of "this preſent Parliament ſhould tell Poſterity, that, in ſo "great danger and extremity, the Houſe of Commons ſhould "be inforced to ſave the Kingdom alone, and that the Houſe "of Peers ſhould have no part in the Honour of the preſer-"vation of it, they having ſo great an intereſt in the good "ſucceſs of thoſe endeavours, in reſpect of their great Eſtates, "and high degrees of Nobility.

ASSOON as this Conference was ended, the Speaker of the Houſe of Commons was appointed to give Mr *Pym* ſolemn Thanks for his ſo well performing that ſervice, and to require him to deliver his Speech in writing in to the Houſe, that it might be Printed; which was done accordingly, to the end that the People might underſtand, beſides thoſe reproaches upon the King, how negligent the Houſe of Peers were of their welfare and ſecurity.

His Speech Printed by Order.

THE ſame day and hour after that Conference, a great number of people, in the name of the Inhabitants of the County of *Hertford*, preſented a Petition to the Houſe of Peers; in which, amongſt other particulars, "They complain'd of the "delay of putting the Kingdom into a poſture of War for "their better defence, and the want of complyance by that "Honourable Houſe with the Houſe of Commons, in enter-"taining thoſe many good Motions, and Paſſing thoſe neceſ-"ſary Bills preſented to them from that Houſe for the Com-"mon Good. And therefore they deſired them, for the bet-"ter removing of all the cauſes and ſprings of their Fears "and Troubles, that the evil Counſellors, and others hinder-"ing the Publick Good, might be taken from his Majeſty, "and the Voting of the Biſhops and Popiſh Lords, to be re-"mov'd out of that Honourable Houſe: And that the Peti-"tioners, who would be ever ready to hazard their Lives and "Eſtates for the defence of the King and Parliament, the Pri-"vileges of the ſame, and in ſpecial thoſe noble Lords and "Gentlemen in both Houſes, whoſe endeavours were for "the Publick Good, might have liberty to Proteſt againſt all "thoſe, as Enemies to the Kingdom, who refuſed to joyn

"with

"with those Honourable Lords and the House of Commons, "for the putting the Kingdom into a way of Safety, under "the Command of such Persons, as the Parliament should "appoint. But neither this, nor any of the other proceedings were resented by the House of Peers, though their Priviledges were not only invaded, but the very Freedom and Liberty of Parliament absolutely taken away and destroyed thereby.

When the House of Commons found that none of these extraordinary ways would throughly Subdue the House of Lords, but that, though they had very sturdy Champions there, the Major part, albeit the Bishops, and all the Recusant Lords were driven from thence, still opposed them, whereby neither the Bill for the taking away the Bishops Votes, nor about Pressing, could pass, and that they peremptorily still refused to joyn in the business of the Militia; they found a new way, as unpracticed and as unnatural as any of the former, whereby they would be sure to have an influence upon the House of Peers. It is an old Custom, and Privilege of that House, that upon any solemn Debate, whosoever is not satisfied with the conclusion and judgment of the House, may demand leave to enter his Protestation, which must be granted. The original of this was in Jealous Times, when Men desired, for avoiding the ill consequence of any Act there, that their Dissents might appear; and was very seldom practiced, but when they conceiv'd Religion, or the Crown, trenched upon; insomuch as you shall not find, in the Journals of many Parliaments, one Protestation enter'd; and when there was any, there was no more in the Records, than, after the Resolution of the House is enter'd, "That such a Lord desired that his Protestation or Dissent might "be enter'd, and oftentimes when several have dissented from the general Opinion, not above one or two have enter'd their Protestation. But since this Parliament, as they alter'd this Custom from cases of high Concernment to the most trivial Debates, the Minor part ordinarily entering their Protestation, to the end that their Opinions might be taken notice of, and who were opposite to them, whereby the Good and Bad Lords were known and published; so they alter'd the form, and instead of short general Entries, caused the matter of Debate to be summ'd up, and thereupon their Protestation, "That they were not to be answerable for any Inconve- "niencies or Mischiefs, that should befal the Common-wealth "by reason of this or that Resolution. So that from an Act for the particular Indemnity of the Person, that made it, it grew sometimes to be a reproaching and arraigning the sense of the House by any Factious number that disagreed. Then

becauſe the Houſe of Peers is a Court of Record, they concluded, "That any Man upon any occaſion might peruſe "the Journals; and ſo every Night the Houſe of Commons could ſee how the Debates had been managed and carried all the Day, and take publick notice, and make uſe of it accordingly, which they could not do of thoſe diſcourſes they receiv'd from their Confidents; for ſupplying whereof this unjuſtifiable method was found out. For though it is a Court of Record, the higheſt Court, and the Acts of Judgments of Parliament are Records, to which the Subject may upon all occaſions reſort, yet they ought not to make uſe of that Liberty in order to queſtion any Words ſpoken, or Acts done, and remember'd there; of which if the Lords are not the only Judges, their Privileges are much leſs than the Commons in truth have, and may juſtly claim.

It happen'd, about this time, that upon ſome Overture in the Lords Houſe, which pleaſed them not, the Violent Party there, in a diſorderly manner, cry'd out, *Adjourn, Adjourn*, being not willing the matter ſhould then come into debate; others were not willing that the Houſe ſhould Adjourn. The Duke of *Richmond* troubled at that Tumultuary and indirect proceeding, ſaid, without directing himſelf to the Speaker, "If they would Adjourn, he wiſhed it might be for ſix "Months, or words to that effect; upon which ſome of the other Party immediately moved, "That the Houſe might not "riſe, and that the Duke would explain himſelf, and anſwer "the making ſuch a Motion, as, being granted, would be de-"ſtructive to the Common-wealth. The Duke ſaid, "He "made no Motion, but uſed that expreſſion, to ſhew his diſ-"like of the other Motion to Adjourn at that time, when "there was buſineſs in agitation of great Concernment; and "that when he ſpoke, all Men being upon their feet, and "out of the places, he conceiv'd the Houſe had been Up. Upon this he was required to withdraw; and then they, who had long looked upon him with great Envy and Animoſity, as the only great Perſon, and Officer at Court, who had diſcountenanced their power, and their ſtratagems, and had with notable Courage always oppoſed their extravagancies, and ſervile complying with the Houſe of Commons, and ſubmitting to the Tumults, and had with ſingular Conſtancy preſerv'd his Duty and Fidelity to his Majeſty unviolated, inveigh'd againſt that Motion, "As of too Serious a nature to "be made a jeſt of, and fit to be Cenſured as moſt pernicious "to This Kingdom, and deſtructive to *Ireland*; the War "whereof could not proceed, if the Parliament ſhould have "been Adjourned for ſix Months, as his Lordſhip had pro-"poſed.

On

On the other side, it was alledg'd, "That the Motion had "never been made to the House; and therefore they ought "no more to question, or take notice of it, than of every "light or frolick Discourse or Expression, that negligently, or "casually fell from any Man; which would take away all li- "berty of Conversation. However, that if it had been se- "riously, and formally made, it could be no Crime, it being "the necessary Liberty and Privilege of every Member to "make any Motion he thought in his judgment fit, which "the House would approve, or reject, as it found reasonable. "And that, since it was as much in the House's Power to "Adjourn for six Months, as for six Days, it was as lawful "to move the one as the other; of which there could not be "the least inconvenience, because the House would be sure "to reject it, if it were not found proper. After a very fierce, and eager Debate, in which much Bitterness and Vi- rulency was expressed, it was Resolv'd by the Major part, "That the Duke had committed no Offence; and so he was "as regularly absolv'd as was possible. Hereupon the Earls of *Northumberland*, *Pembroke*, *Essex*, and *Holland*, who thought the Duke's Affection and Duty to his Master a Reproach, and his interest prejudicial to Them, with the rest of that Party enter'd their Protestation; "That whereas such a Motion had "been made by the Duke of *Richmond*, and upon being que- "stioned for the same, he had been acquitted by the Major "part, They were free from the Mischiefs and Inconve- "niences, which might attend the not punishing of an Offence "tending so much to the prejudice of King or Kingdom.

This Protestation, by the advice of that Nights meeting, was, the next Day, taken notice of in the House of Commons, and the matter it self of the Motion inlarged upon, by all pos- sible and Rhetorical aggravations, concerning the Person, and his interest, according to the licence of that House, and that People. It was said, "Here was an evil Counsellor, that had "discover'd himself, and no doubt had been the Author of "many of those evil Counsels, which had brought that trou- "ble upon us; that he had receiv'd his Education in *Spain*, "and had been made a Grandee of that Kingdom, and had "been ever since notoriously of that Faction; that his Sisters "were Papists, and therefore his Affection was to be que- "stioned in Religion; that, from the beginning of this Par- "liament, he had been opposite to all their proceedings, and "was an Enemy to Reformation; that he had vehemently "opposed the Attainder of the Earl of *Strafford*; was a Friend "to Bishops; and now, to prevent any possibility of Refor- "mation, which could not be effected without the Concur- "rence of the two Houses, had desperately moved in the "House

"House of Peers, where he had a great Faction, that it would "Adjourn for six Months; in which time the Malignant Party "of which he might well be thought the Head, and had "the greatest influence upon the King's Affections, would "prevail so far, that all future hopes would be render'd de- "sperate, and the Kingdom of *Ireland* be utterly lost, and "possessed by the Papists: that they were therefore to take "this opportunity, which God had given them, to remove so "Malignant and dangerous a Person from the King, and one "so suspected, from so important a Charge as the Cinque "Ports, of which the Duke was Lord Warden, and to send "to the Lords to joyn with them in a desire to the King to "that purpose.

On the other side, it was objected, that "Whilst they "were so Sollicitous for their own Privileges, and sensible of "the breach and violation of them, they could not more "justify those, who had been the Advisers of such breaches, "than by offering the like trespass to the Privileges of the "Peers: that the life of that Council depended on the liberty "of Speech, and where there was so different Minds, there "must be different Expressions, and if one House might take "notice what the other House said, or did, within Those "Walls, the Lords would as well question Their Members, as "they did now one of the Lords; which would take away "all freedom of Debate: that they could not Examine the "Circumstances, which attended that Motion, if any such "was made; and therefore could not so much as, in their pri- "vate understandings make a reasonable judgment of it, but "that they were naturally to presume the Circumstances were "such, as took away the Offence of the Motion; for that the "Major part of that House where the words were spoken, "and at the time when they were spoken, had, upon Solemn "Debate, concluded, that there was no Crime in them; and "that they were not only the Proper, but the Only Judges "in that Case: and if the Commons should intermeddle "therewith, it was no otherwise, than, by the strength of the "Major part of the House of Commons, to make the Minor "part of Lords Superior to the Major part of that House; "which they would not suffer to be offer'd to themselves.

It was alledg'd, "That the Duke was a Person of great "Honour and Integrity, and of so unblemished a Fame, that "in all the discovery of the Court Offences, there was not any "reflection upon him. That his Education had been, accord- "ing to the best Rules of the Greatest Persons, for some years "beyond the Seas; and that, having spent more time in *France* "and *Italy*, he visited *Spain*; where his Great Quality being "known, and no question as a Compliment to this Kingdom,

"with

"with which it was then in ſtreight Allyance and Confede-
"racy, that King had conferr'd the Honour of Grandee upon
"him; which was of no other advantage or ſignification to
"him, than to be Cover'd in the Preſence of that King, as
"the principal Subjects there are. That his Affection to the
"Proteſtant Religion was unqueſtionable and very Eminent;
"and though his Siſters, who had been bred under their Mo-
"ther, were Roman Catholicks, yet his Brothers, of whoſe
"Education He had taken the ſole Care, were very good Pro-
"teſtants.

"THAT his opinions in Parliament had been very avow'd,
"and were to be preſumed to be according to his Conſcience,
"in the profeſſion of which he was ſo publick, that there was
"reaſon to believe he uſed no ill arts in private; ſince he
"had the Courage to do that Aloud, which he had reaſon to
"believe would diſpleaſe many. That it would be a great
"prejudice, and blemiſh to their Councils and Diſcoveries, if
"after ſo long diſcourſe of a Malignant Party, and evil Coun-
"ſellors, of which they had never yet named any, they ſhould
"firſt brand This Lord with that imputation upon ſuch a
"ground and occaſion, as muſt include all thoſe Lords who had
"abſolv'd him, which was the Major part of the Lords. In a
"word, that it would look as if they had deviſed thoſe new
"words to make Men afraid, and keep them in reſerve to ap-
"ply to all thoſe with whom they were Angry.

BUT notwithſtanding all this, and all the reaſon that could be ſpoken on that part, and that there could be none on the other, after a Debate of very many hours, till after nine of the Clock at Night (the lateſt that ever was in the Parliament, but that of the Remonſtrance) in which it was evident, that they meant, as far as in them lay, to Confound all thoſe, whom they could not Convert; it was Reſolv'd by the Majority of Voices, not half of the Houſe being preſent at that unſeaſonable time of the Debate, "That they ſhould accuſe the
"Duke of *Richmond* to the Lords to be one of the Malignant
"Party, and an evil Counſellor to his Majeſty; and to deſire
"them to joyn in a requeſt to the King, that he might be re-
"mov'd from any Office or Imployment about his Perſon;
which was ſolemnly recommended to the Lords accordingly, and by them ſo far receiv'd, that though the deſire was rejected, no diſlike or diſapprobation of the Matter or the Manner was in the leaſt diſcover'd, or inſiſted on.

ALL things thus prepared, and ſo many Lords driven and kept from the Houſe, beſides the Biſhops, and they that ſtay'd there, by this laſt inſtance, inſtructed how to carry themſelves, at leaſt how they provoked the Good Lords to Proteſt, they Reſolv'd once more to try whether the Houſe of Peers would

be

be induced to joyn in the busines of the Militia, which they had twice refused; and to that purpose, their old Friends of the City in the same numbers flocked to *Westminster*, but under the new, receiv'd, and allowed, style of Petitioners; but as unlike Petitioners to any of those Lords or Commons, whom they understood to be Malignant, as the other Tumults had been. From these Herds there were two notable Petitions deliver'd to the House of Commons, the one from the Porters, their number, as they said, consisting of fifteen Thousand; the other under the title of many Thousands of poor People in, and about the City of *London*. The Porters, with great Eloquence, confessed "The unexpressible pains, "that Honourable House had taken for the Good of Church "and State; which deserv'd to be Recorded to their Eternal "Fame, though the Effects of those unwearied undeavours "were not produced, by reason of the prevalence of that adverse Malignant, Blood-sucking, Rebellious Party, by the "power of which the Privileges of Parliament, and the Liberty of the Subject was trampled upon, the Rebellion in "*Ireland* increased, and all Succours and Relief for that Kingdom obstructed. They said, "That Trade had been long "languishing, but was now dead by the Fears, Jealousies, and "Distractions they lay under, for want of Fortification of the "Cinque Ports, which was a great incouragement to the Papists to make Insurrections, and did much animate a Forreign Power to invade us: that by the deadness of Trade "they did want imployment in such a measure, as did make "their Lives very uncomfortable; therefore their Request "was, that That extream necessity of theirs might be taken "into serious Consideration, and that the Honourable House "of Commons would fall upon the speediest course for abating and quelling the Pride, Outrage, and Insolency of the "adverse Party at Home; that the Land might be secured by "Fortifying the Cinque Ports, and putting the People into "a posture of Defence, that all their Fears, or as many as "could, might be remov'd, and that Trade might be again "set up and opened, that their wants might be in some measure supplied. They further desired that Justice might be "done upon Offenders, according as the Atrocity of their "Crimes had deserv'd; for if those things were any longer "suspended, they should be forced to Extremities not fit to be "named, and to make good that saying, That Necessity hath "no Law. They said they had nothing to lose but their "Lives, and those they would willingly expose to the utmost "peril, in defence of the House of Commons, according to "their Protestation, *&c.*

THE other was a Petition in the names of many Thousand of

of poor People, and brought by a multitude of such, who seem'd prepared for any Exploit. I have thought fit, for the rareness of it, and the rare Effect it produced, to insert that Petition in Terms as it was presented, Thus.

To the Honourable the House of Commons now assembled in Parliament.

"The humble Petition of many Thousands of poor People in and about the City of *London*.

"HUMBLY sheweth, that your Petitioners have lain a "long time under great pressures, and grievances both in Li- "berties and Consciences, as have been largely, and sundry "times, shewed and declared, by several Petitions exhibited "to this Honourable Assembly both by the Citizens, and Ap- "prentices of the City of *London*, and divers Counties and "parts of this Kingdom, from which we hoped long e're this, "by your pious care to have been delivered.

"BUT now we, who are of the meanest Rank and Quality, "being touched with penury, are very sensible of the ap- "proaching storms of Ruine, which hang over our Heads, and "threaten to overwhelm us, by reason of the sad distractions "occasioned chiefly and originally, as your Petitioners hum- "bly conceive, by the prevalency of the Bishops, and the Po- "pish Lords, and others of that Malignant Faction; who "make abortive all good Motions, which tend to the Peace, "and Tranquility of this Kingdom of *England*, and have "hitherto hinder'd the sending relief to our Brethren in *Ire- "land*, although they lye weltering in blood; which hath "given such head to the Adversaries, that we justly fear the "like calamities inevitably to befal us Here, when they have "vented their rage and malice There.

"ALL which, occasions so great a decay and stop of Trade, "that your Petitioners are utterly impoverished, and our mi- "series are grown insupportable, we having already spent all "that little means, which we had formerly, by God's bless- "sing, and our great labour, obtain'd; and many of us have "not, nor cannot tell where to get bread to sustain our selves "and families; and others of us are almost arrived at the "same Port of calamity; so that unless some speedy remedy "be taken for the removal of all such obstructions, which "hinder the happy progress of your great endeavours, your "Petitioners shall not rest in quietness, but shall be forced to "lay hold on the next remedy which is at hand, to remove "the disturbers of our Peace; Want and necessity breaking "the bounds of Modesty: and rather than your Petitioners

"will

"will suffer themselves, and their families, to perish through "Hunger and necessity, though hitherto patiently groaned "under, they cannot leave any means unessayed for their "relief.

"THE Cry therefore of the Poor, and Needy, your Poor "Petitioners, is, that such Persons, who are the obstacles of "our peace, and hinderers of the happy proceedings of this "Parliament, and the enjoyment of the looked for purity of "Religion, safety of our lives, and return of our welfares, "may be forthwith publickly declared, to the end they may "be made manifest; the removal of whom we humbly con-"ceive will be a Remedy to cure our miseries, and put a "period to these distractions: and that those Noble Worthies "of the House of Peers, who concur with your happy Votes, "may be earnestly desired to joyn with this Honourable "House, and to Sit and Vote as one entire body; which we "hope will remove from us our destructive Fears, and pre-"vent that, which Apprehension will make the Wisest and "Peaceablest men to put into Execution.

"FOR the Lord's sake hear us, and let our Religion, Lives, "and Welfares be precious in your sight, that the loyns of "the Poor may bless you, and pray, *&c.*

AFTER this scandalous and extravagant Petition delivered, the House, according to its gracious custom, ordered thanks to be given for their great kindness. To the Which when it was delivered by the Speaker, who told them that the House was in consideration of those things, whereof they complained, some of that rabble, no doubt as they had been taught, replied, "That they never doubted the Honse of Com-"mons, but they heard all stuck in the Lords House, and "they desired to know the Names of those Peers, who hin-"dered the agreement between the Good Lords and the "Commons: which they pressed with unheard of rudeness and importunity, and with a seeming unwillingness withdrew, whilst the House took the matter into further consideration.

YET notwithstanding this Provocation, and that it was urged by many Members, some of which had been assaulted and ill intreated by that Rabble in their passage to the House, "That the countenancing such Licentious persons and pro-"ceedings would be a great blemish to their Counsels, they were again called in; and told, "That the House of Commons "had endeavoured, and would continue those endeavours for "their relief; and they doubted not, when they had deliver-"ed their Petition, and what they had said, to the Lords, "which they would presently do, the causes of their evils "would be found out, and some speedy course resolved upon for

"their

"their relief; and therefore desired them with patience to "attend a further Answer. And accordingly that Petition was solemnly read, and delivered to the Lords at a Conference; and the Conference no sooner ended, than Mr *Hollis*, one of those Five whom the King had accused a Month before of High Treason, was sent to the Lords in a Message to desire them, "That they would joyn with the House of Com-"mons in their desire to the King about the Militia; to which he added, "That if that desire of the House of Com-"mons was not assented to, he desired those Lords who were "willing to concur, would find some means to make them-"selves known, that it might be known who were against "them, and they might make it known to those that sent "them.

After which Motion, and Message, the Lords again resume the Debate; which the Earl of *Northumberland* begun with a profession, "That whosoever refused, in that parti-"cular, to joyn with the House of Commons, were, in His "opinion, Enemies to the Common-wealth; when the Major part of that House had twice before refused to concur with them in it. Yet when his Lordship was question'd for that Unparliamentary language, all the other Lords of that Faction joyned with him; and declared, "That it was Their "opinion likewise: the Rabble being at the door to execute whatever they were directed: so that many Lords, out of a just indignation to see their Honours, and their Liberties Sacrificed to the People by Themselves; other, out of real fear of being murdered, if they should, in that conjuncture of time, insist on their former resolution, withdrawing themselves; the Major part of those, who stayed, concluded to joyn with the House of Commons in their desire concerning the Militia. *The Lords pass the Bill touching the Militia;*

Within two days after this agreement, and submission of the Lords, another Petition was presented to the Commons, in the name of the inhabitants of the County of *Surrey*, by a multitude of People, who were, or pretended to be of that County, and Subscribed by above two thousand hands. Their Petition was of the ordinary strain, full of devotion to the House of Commons, and offering to execute all their commands; but with it they presented likewise a Petition, which they intended to present to the Lords, if They approved it, and was Subscribed by above two thousand hands; by which it may appear Where that Petition was drawn, and When, however the hands were procured. The Petition to the Lords took notice "Of their happy concurrence with the House of "Commons in setling the Militia, and Forts, in such hands "as the Common-wealth might Confide in, and the King-

"dom

" dom in such a posture as might be for its defence, and safe-
" guard: yet they complained of the miserable condition of
" *Ireland*, which they said, by the delay it had found amongst
" their Lordships, notwithstanding the pressing endeavours of
" the House of Commons, together with many of their Lord-
" ships, had been exposed to the inhuman cruelties of their
" mercilesS Enemies. With like grief they apprehended the
" Distractions of this Nation, the composure of which was
" altogether hopeless, so long as the King's Throne was sur-
" rounded with evil Counsellors, and so long as the Votes of
" Popish Lords and Bishops were continued in their House.

" WHEREFORE they did humbly pray, and beseech their
" Lordships, that they would go on in a constant Union with
" the House of Commons, in providing for the Kingdom's
" safety; that all evil Counsellors might be found out, *Ire-*
" *land* relieved; that the Votes of the popish Lords, and
" Bishops might be speedily removed; that so the Peace of
" the Kingdom might be establish'd, the Privileges of Parlia-
" ment vindicated, and the purity of Religion settled, and pre-
" served. And, they said, they should be in duty obliged to
" defend, and maintain with their Lives and Estates, their
" Lordships, as far as they should be united with the Ho-
" nourable House of Commons, in all their just and pious pro-
" ceedings.

WHICH Petition was read in the House of Commons, and approved, and the Petitioners thanked for their kind expressions therein; and then it was delivered by them at the Bar of the House of Peers: who, within a day or two, passed both the Bill for taking away the Bishops Votes, and that concerning Pressing, which had lain so long desperate, whilst the Lords came, and sat with freedom in the House. And these marvellous things done, they again Adjourn both Houses into *London*, to lay the Scene for future Action.

and the Bills touching the Bishops Votes, and Pressing.

Both Houses adjourn again into London.

UPON the second day of *February*, some Members, appointed by both Houses, attended his Majesty at *Windsor*, with their Petition, " That he would forthwith put the Tower
" of *London*, and all other Forts, and the whole Militia of
" the Kingdom, into the hands of such persons, as should be
" recommended unto his Majesty by both Houses of Parlia-
" ment; which, they assured themselves, would be a hopeful
" entrance into those courses, which, through God's blessing,
" should be effectual for the removing all diffidence, and mis-
" apprehension between his Majesty and his People; and for
" establishing and enlarging the Honour, greatness, and Power
" of his Majesty, and Royal posterity; and for the restoring
" and confirming the Peace, and Happiness, of his loyal Sub-
" jects in all his Dominions. And to that their most necessary
" Petition,

Both Houses Petition the King touching the Tower, Forts, and Militia, &c. Feb. 2.

"Petition, they ſaid, they did, in all humility, expect his "ſpeedy and gracious Anſwer, the great Diſtractions, and "Diſtempers of the Kingdom, not admitting any delay.

AT the ſame time they likewiſe preſented another Petition to him, concerning the accuſed Members; in which they be- "ſought him "To give directions, that the Parliament might "be informed before *Friday* next (which was within two "days) what proof there was againſt them, that accordingly "they might be called to a legal Trial; it being the un- "doubted right, and Privilege of Parliament, that no Mem- "ber of Parliament could be proceeded againſt, without the "conſent of Parliament.

HIS Majeſty now found that theſe perſons could not be compounded with, and that their purpoſe was, by degrees, to get ſo much Power into their hands, that they need not care for what was left in His; and that the Lords were in no degree to be relied upon to maintain their Own Privileges, much leſs to defend His Rights; and that they had the power generally to impoſe upon the People's Underſtanding contrary to their own Senſes, and to perſwade them, "That they "were in danger to be invaded by Forreign Enemies, when the King was not only in peace with all Chriſtian Princes, but almoſt all other Nations ſo imbroyled in War, that they all deſired the Friendſhip and Aſſiſtance of *England*; none was in caſe or condition to diſturb it: "And that there was "a decay and deadneſs of Trade, and Want and Poverty "growing upon the whole Kingdom, when no man living had ever remember'd the like Plenty over the whole Land, and Trade was at that heighth, that the like had never been known.

The King reſolves to remove farther from London.

HE reſolved therefore to remove himſelf to a greater diſtance from *London*, where the Fears and Jealouſies grew; and conſtantly to deny to paſs any Act, that ſhould be recommended to him from the two Houſes, except what might concern *Ireland*, till he might have a full proſpect of all they intended to demand, and an equal aſſurance how far they intended to gratify him for all his condeſcenſions; which reſolution was very Parliamentary, it having been rarely known, till this preſent Parliament, that the King conſented to any Acts, till the determination of the Seſſion.

THE truth is, when his Majeſty found the extream ill ſucceſs of the accuſation againſt the Members, and that the Tumults, and the Petitioners, were no other than an Army at the diſpoſal of thoſe, in whom he had no reaſon to put his confidence, and that all ſuch who expreſſed any eminent zeal to his Service, would be taken from him under the ſtyle of Delinquents and Malignants, he reſolved that the Queen,

who was very full of fears, should go to *Portsmouth*, Colonel *Goring*, who was Governour thereof, having found means to make good impressions again in their Majesties of his Fidelity; and that Himself would go to *Hull*, where his Magazine of Canon, Arms, and Ammunition was; and that being secured in those strong places, whither they who wished him well, might resort, and be protected, he would sit still, till they who were over-active, would come to reason.

But this, though resolved with so much secrecy, that it was not communicated to three persons (as I have been since assured by those who knew) whether by the Treachery of one of those few, or by the Curiosity of others (which I rather believe) who found means to over-hear all private discourses (as both Bed-Chambers were inhabited, and every corner possessed, by diligent Spies upon their Matter, and Mistress) was imparted to those who procured those Orders before mentioned for *Hull* and *Portsmouth*; by reason whereof, and the advice, and promise of many Lords, "That they "would firmly unite themselves for the just support of the "Regal power, with the extream apprehension the Queen had of danger, that Counsel was laid aside. That, which wrought so much upon the Queen's fears, besides the general observation how the King was betrayed, and how his Rights, and Power, were every day wrested from him, was an advertisement, that she had received, of a design in the prevalent Party to have accused her Majesty of High Treason; of which, without doubt, there had been some discourse in their most private Cabals, and, I am perswaded, was imparted to her upon design, and by connivance (for there were some incorporated into that Faction, who exactly knew her nature, passions, and infirmities) that the disdain of it might transport her to somewhat which might give Them advantage. And shortly after that discovery to her Majesty, those persons before mentioned were accused of High Treason; yet afterwards, when they had received the full fruits, they found means to complain, "As a great argument of the ma- "lignity of those persons of nearness to both their Majesties, "that an infusion had been made to the Queen, that there "was a purpose of accusing her of High Treason, and solemnly by Message "Besought her to discover, Who had done "that malicious Office; when they very well knew Who it was, and for Whose sake the Queen was brought to return Answer, "That she had heard such a discourse, but took no "notice of it, as never believing it; whereas if she could have been compelled to have discovered, how they knew that the Queen had been informed, all the secret would have appeared; the same person first telling her what was in projection

against

againſt her, and then returning Intelligence of any expreſſions, and diſtemper, he might eaſily obſerve upon the apprehenſion which the other begot.

BUT both King and Queen were then upon that diſadvantage, that all their words, and actions, which were the pure reſults of their own reaſons, and judgments upon what they ſaw every day occurred, were called the effects of evil Counſels, that ſo they might take the liberty to reproach them with the more licence; whilſt what they received by the moſt ſecret perjury of Bed-Chamber Spies, or what they forged themſelves, was urged as the reſult of common Fame; or the effects of their Fears and Jealouſies, to the rancour of which the moſt precious balm of the Crown muſt be applied. And therefore it was concluded, "That the Queen ſhould take the "opportunity of her Daughter the Princeſs *Mary*'s Journey "into *Holland* (who had been before married to the young Prince of *Orange*, and was now ſolemnly deſired by the States Embaſſadours to come into that Country) "To tranſport her "ſelf into *Holland*, patiently to expect an amendment of the "affairs of *England*; and that the King ſhould retire into the "North, and reſide at *York*, and deny all Particulars, till "the Whole alteration ſhould be framed. But the firſt reſolution concerning the Queen was only publiſhed, the other, concerning the King, communicated to very few; both their Majeſties being reduced to ſo great wants, that the Queen was compelled to coyn, or ſell, her Chamber-Plate for the ſupply of her moſt neceſſary occaſions, there being no money in the Exchequer, or in the power of the Miniſters of the Revenue; the Officers of the Cuſtoms, out of which the allowance for the weekly ſupport of their Majeſties houſhold had been made, being enjoyned by the Houſe of Commons, not to iſſue out any money, without their particular conſent, and approbation.

IT was evident now that the accuſed Members were too mighty for the King or the Law, and that they would admit no other Judges of their guilt, than Themſelves, nor rules of proceeding, than the Plurality of their own voices: and therefore the King reſolv'd to give over any more thought of that buſineſs. And ſo to that Petition he Anſwer'd, "That as he "once conceived that he had ground enough to accuſe them, "ſo Now he found as good cauſe wholly to wave any pro-"ſecution of them. The other Petition concerning the Militia gave him more trouble; for though he was reſolved in no degree to conſent to it, yet he was willing, till all things could be ready for the Queen's Journey, and ſo for his own remove, rather to Delay it, than deny it; leſt the ſame Army of Petitioners might come to *Windſor* to perſwade him,

which had converted, or prevailed over the House of Peers. And he was perswaded by some, who thought they knew the temper of both Houses, that though they were now united in the Matter, they might easily be divided upon the Circumstances; and that they would not be of one mind in the election of the Persons to be Confided in. So that to that Petition his Majesty returned this Answer:

The King's Answer to the Petition concerning the Militia.

"THAT he was willing to apply a remedy not only to "their Dangers, but to their Doubts and Fears; and there- "fore that when he should know the extent of power, which "was intended to be established in those persons, whom they "desired to be Commanders of the Militia in the several "Counties, and likewise to what time it should be limited, "that no power should be executed by his Majesty alone "without the advice of Parliament, Then he would declare "that he would be content to put in all the Forts, and over "the Militia, such persons as both Houses of Parliament "should either approve, or recommend to him; so that they "before declared the names of the persons, whom they would "approve or recommend; and so that no persons should be "named by them, against whom his Majesty should have just "and Unquestionable exception.

WHICH Answer, though it was not a Consent, gave them notable encouragement, and exceedingly united the vulgar minds to them; who concurred only with them, as they saw them like to prevail in what they went about. And there was no danger of any disunion in the Nomination of Persons; because, though they should at first admit such into the Number, whom they could not sufficiently trust, nor plausibly except against, yet when they were once possessed of the power of Nomination, they might easily Weed out those which were not agreeable to the Soil they were planted in. However this would take up some time; and therefore to keep the King's inclination to gratify them (for so they would understand it) warm, the same day they received this Answer, they returned a Message of thanks; and desired his Majesty, "Whilst they were preparing all other particulars according "to his command, that he would confer the custody of the "Tower upon Sr *John Coniers*, whom they had lately recommended to his Majesty as a person of great merit With which being surprized, and desired likewise by Sr *John Byron* to free him from the Agony and vexation of that place, which had exposed his person and reputation to the rage and fury of the People, and compelled him to submit to such reproaches, as a generous Spirit could not brook without much regret; for he had upon frivolous surmises been sent for as a Delinquent, and been brought upon his knees at the Bar of both

The House of Commons return the King thanks; and desire Sr John Coniers *may be made Lieutenant of the Tower.*

both Houſes; his Majeſty conſented to that alteration, and made Sr *John Coniers* Lieutenant of the Tower. Which was ſuch an inſtance of his yielding upon Importunity, that from that time they thought themſelves even poſſeſſed of the whole Militia of the Kingdom. *The King conſents to it.*

WHILST all diligence was uſed in making preparation for the Queen's Journey, to divert their Councils from other inquiſition, the King (who had receiv'd ſo many ſharp expoſtulations for breach of Privileges, and other attempts upon their Reputations) reſolv'd upon their publication of a bold ſcandal upon Himſelf by one of their principal Members, to expoſtulate with them, and try what Satisfaction and Reparation they were prepared to give Him, who exacted ſo much from Him. All opportunities had been taken in Publick, and all licence given to Private and Clandeſtine forgeries to lay odious, or envious imputation on the King and Queen, in the buſineſs of *Ireland*; and to impute the progreſs and ſucceſs of that Rebellion to a connivance, if not a countenance, from the Court: the not Levying Men, and ſending Proviſions, imputed to his Majeſty; though he had, as is before obſerv'd, offered to Levy ten Thouſand Voluntiers for that Service, and had conſented chearfully to every Propoſition, that had been made with the leaſt reference to the aſſiſtance of that Kingdom. Indeed he was ſo alarm'd with thoſe perpetual odious ſuggeſtions, which he perceived wrought very pernicious effects in the minds of the People, that he was compelled to conſent to many things contrary to his Judgment and Kingly Policy, to prevent greater inconveniences by thoſe ſcandals, which he ſaw were prepared for him. So when ſeveral Propoſitions were recommended to him by the two Houſes concerning thoſe Supplies, which were to be ſent out of *Scotland*, amongſt the reſt, there was one, "That "the *Scots* ſhould have the Command, and keeping of the "Town, and Caſtle of *Carrickfergus*; and if any Regiments, "or Troops, in that Province ſhould joyn with them, that "they ſhould receive Orders from the Commander of the "*Scotiſh* Forces. The King conſented to all the reſt, though there were matters unreaſonable enough in favour of that Nation; but, "That, He ſaid, "He could not approve of; and wiſhed "The Houſes to take that Propoſition again into "conſideration, as a buſineſs of very great importance, which "he doubted might prove prejudicial to the Crown of *Eng-*"*land*, and the Service intended. And he ſaid, if the Houſes "deſired it, he would be willing to ſpeak with the *Scotiſh* "Commiſſioners, to ſee what ſatisfaction he could give them "therein. This Anſwer was no ſooner read, but both Houſes Voted, "That whoſoever gave the King advice, or Counſel,

"to send that Answer, was an Enemy to the King and King-"dom, and a Committee appointed to find out who those evil Counsellors were. So that, the *Scotish* Commissioners pressing him, "That being their Native King, he would not publish "a less Trust and Confidence in them, than their Neighbour "Nation had done, his Majesty thought fit to consent to the whole, as the two Houses had advised.

THEN, in the carrying on the War, they allowed his Majesty so little Power, that when he recommended some Officers of prime Quality, Reputation, and Experience in the War, to the Lord Lieutenant to be imployed in that Service, the House of Commons by express Order, and after they knew that his Majesty had recommended them, rejected them, because they were taken notice of to have attended upon the King at *White-Hall*, as a Guard to his Person. And after all this, they took all occasions to asperse him with any omissions that were in that great work, as Mr *Pym* had more particularly done, in that Speech before taken notice of, at the Conference with the Lords, upon the delivery of those Seditious Petitions; of which the King could not take notice, lest he should be again reproached with breach of Privilege.

BUT when that Speech was Printed by Order of the House, the King thought he had an opportunity to require a vindication; and therefore, in a Letter to the Speaker, he sent this Message: "That he had taken notice of a Speech, pretend-"ed by the title to have been delivered by Mr *Pym* in a "Conference, and Printed by Order of the House of Com-"mons; in which it was affirmed, that since the stop upon "the Ports against all *Irish* Papists of both Houses, many of "the chief Commanders, now in the Head of the Rebels, "have been suffered to pass by his Majesty's immediate War-"rant: and being certain of having used extreme caution in "the granting of Pass-Ports into *Ireland*, he conceived, ei-"ther that Paper not to have been so delivered, and Printed, "as is pretended; or that House to have received some mis-"information. And therefore his Majesty desired to know, "whether that Speech had been so delivered, and Printed; "and if it had, that the House would review, upon what in-"formation that particular had been grounded, that either it "might be found upon reexamination false, and so both the "House, and his Majesty to have been injured by it; or that "his Majesty might know, by what means, and by whose "fault, his Authority had been so highly abused, as to be "made to conduce to the assistance of that Rebellion, which he "so much detested and abhorred; and that he might see him-"self fully vindicated from all reflections of the least suspi-"cion of that kind.

The King demands reparation for an expression in a Printed Speech of Mr Pym's

IT

IT was ſome time before they would vouchſafe any Anſwer to the King upon this Meſſage; but at laſt they return'd, "that the Speech, mention'd in that Meſſage, was Printed "by their Order, and what was therein deliver'd, was a- "greeable to the ſenſe of the Houſe: That they had receiv'd "divers Advertiſements concerning the ſeveral Perſons, *Iriſh* "Papiſts, and others, who had obtain'd his Majeſty's im- "mediate Warrant for their paſſing into *Ireland*, ſince the "Order of reſtraint of both Houſes; ſome of which, as they "had been inform'd, ſince their coming into *Ireland*, had "joyn'd with the Rebels, and been Commanders amongſt "them; and ſome others had been ſtay'd, and were yet in "ſafe Cuſtody. *The Houſe of Common's Anſwer.*

THEN they named ſome, to whom Licences had been granted before the Order of reſtraint, and were ſtill in *England*; and ſaid, "There were others, whoſe names they had "not yet receiv'd, but doubted not, upon examination, they "would be diſcovered.

TO this the King Reply'd, and told them, "That as He "had expreſſed a great deſire to give Them all poſſible ſatiſ- "faction to all their juſt requeſts, and a readineſs to rectify, "or retract, any thing done by himſelf, which might ſeem to "intrench upon their Privileges by any miſtake of his; ſo he "hoped, They would be ready, upon all occaſions, to ma- "nifeſt an equal tenderneſs and regard of his Honour, and "Reputation with his Subjects: and therefore he expected "they ſhould review his Meſſage concerning Mr *Pym's* Speech, "and their Anſwer, with which he could not reſt ſatisfied. "He ſaid, he was moſt aſſured that no Perſon, who had "Command in the Head of the Rebels, had paſſed by his War- "rant, or Privity. And then, he deſired them to conſider, "whether ſuch a General Information, and Advertiſement, "as they implied in their Anſwer, without the name of any "particular Perſon, was a ground enough for ſuch a direct "and poſitive Affirmation, as was made in that Speech; "which in reſpect of the Place and Perſon, and being now "acknowleged to be according to the ſenſe of the Houſe, "was of that Authority, that his Majeſty might ſuffer in the "Affections of many of his good Subjects, and fall under a "poſſible conſtruction, conſidering many ſcandalous Pam- "phlets to ſuch a purpoſe, of not being ſenſible enough of "that Rebellion, ſo horrid, and odious to all Chriſtians, by "which, in that diſtraction, ſuch a danger might poſſibly en- "ſue to his Majeſty's Perſon, and Eſtate, as he was well "aſſured they would endeavour to prevent. And therefore, "he thought it very neceſſary, and expected that they ſhould "name thoſe Perſons who had paſſed by his Licence, and "were *The King's Reply.*

"were then in the Head of the Rebels: or if, upon their re-"examination, they did not find particular Evidence to prove "that Assertion (as he was most confident they never could) "as that Affirmation, which reflected upon his Majesty, was "very Publick, so they would publish such a Declaration, "whereby that mistake might be discovered; he being the "more tender in that particular which had reference to *Ire-*"*land*, and being most assured, that he had been, and was, "from his Soul, resolv'd to discharge his duty, for the Relief "of his poor Protestant Subjects, and the utter rooting out "that Rebellion; so that Service had not suffer'd for the "want of any thing proposed to him, and within his Power "to grant.

He said, "In this matter he had diligently examined his "own Memory, and the notes of his Secretaries; and then named all the *Irish* Persons to whom he had given any Licences to go into that Kingdom, since the beginning of that Rebellion; and said, "He was well assured; none of Them "were with the Rebels; and though some of them might be "Papists, yet he had no reason to have any suspicion of them, in "respect of their Allyance with Persons of great Honour and "Power in that Kingdom, of whose Fidelity to him he had "good assurance; and the Lords Justices themselves having "declared, that they were so far from owning a jealousy of all "Papists there, that they had put Arms into the Hands of di-"vers Noblemen of that Religion, within the Pale, which the "Parliament had well approved of. And therefore, unless the "first Affirmation of the House of Commons could be made "good by some particulars, he expected a vindication by such "a Declaration as he had proposed; which, he said, was, in "Duty and Justice, due to him.

But this, and any thing else could be said, was so far from procuring any Reparation, that when they perceived the King still pressed for that Justice, and apprehended that many would believe it due to him, and that the prejudice they had raised to him for *Ireland* would be remov'd thereby, they confidently published another Declaration of several Persons Names, to whom they said the King had granted Passes, and were then Commanders in the Rebels Army, of whose Names his Majesty had never before heard, to whom no Passes had been granted, neither did he believe that there were such Men in Nature: and so left the People to believe as they found themselves inclined upon the King's denial, or Their so particular, and positive Affirmation.

These proceedings of the Parliament made a deep impression upon all Noble and Generous Persons, who found that their Pride, and Ambition was so great, that they resolved

ſolved to remove all perſons, who were like to ſtand in their way, by oppoſing any thing they deſired, or by filling any Place, or Office, which they deſign'd ſhould be executed by ſome other perſon, in whom they could Confide. The Earl of *New-Caſtle*, who was Governour to the Prince, knew very well in what prejudice he ſtood with the Earls of *Eſſex*, and *Holland* (two very powerful perſons) upon the Account of the Challenge formerly mentioned to be ſent by him to the latter of the two, who would be glad of any opportunity to expoſe him to an affront; and that they would find occaſions enough upon the account of his known Affections to the King's Service, from which it was not poſſible to remove or ſtartle him. He knew they liked not that he ſhould have the Government of the Prince, as one, who would infuſe ſuch principles into him, as would not be agreeable to their Deſigns, and would diſpoſe him to no kindneſs to their Perſons, and that they would not reſt, till they ſaw another Man in that Province; in order to which, they would pick all Quarrels they could, and load him with all Reproaches, which might blaſt him with the People, with whom he had a very good Reputation. Upon thoſe conſiderations, and ſome other imaginations upon the proſpect of Affairs, he very wiſely reſolv'd to retire from the Court, where he had expended much of his own Fortune, and only made himſelf obnoxious to the Malice, and Envy of other pretenders; and deſired the King to approve of this his reaſonable inclination, and to put the Prince under the Tuition of ſome Perſon of Honour of unqueſtionable Fidelity to him, and above the reach of Popular diſapprobation; and, at the ſame time mention'd the Marquis of *Hertford*, who was indeed Superior to any Temptations. The King could not diſlike the Earls Judgment upon his own intereſt and concernment; and did foreſee likewiſe that he might probably have occaſion to uſe his Service under another qualification; and therefore was well contented to diſmiſs him from the Prince.

The Earl of New-Caſtle reſigns his place of Governour to the Prince.

THE Marquis of *Hertford* was a Man of great Honour, Intereſt, and Eſtate, and of an univerſal eſteem over the whole Kingdom; and though he had receiv'd many, and continued diſobligations from the Court, from the time of this King's coming to the Crown, as well as during the Reign of King *James*, in both which ſeaſons, more than ordinary care had been taken to diſcountenance and leſſen his Intereſt; yet he had carried himſelf with notable ſteadineſs, from the beginning of the Parliament, in the ſupport and defence of the King's Power and Dignity, notwithſtanding all his Allies, and thoſe with whom he had the greateſt Familiarity and Friendſhip, were of the oppoſite Party; and never concurr'd with

The Marquis of Hertford ſucceeds him.

with them againſt the Earl of *Strafford*, whom he was known not to love, nor in any other extravagancy.

And then, he was not to be ſhaken in his Affection to the Government of the Church; though it was enough known that he was in no degree byaſſed to any great inclination to the Perſon of any Church-man. And with all this, that Party carried themſelves towards him with profound reſpect, not preſuming to venture their own credit in endeavouring to leſſen his.

It is very true, he wanted ſome of thoſe qualities, which might have been wiſhed to be in a Perſon to be truſted in the Education of a great, and hopeful Prince, and in forming of his Mind and Manners in ſo tender an Age. He was of an Age not fit for much Activity and Fatigue, and lov'd and was even wedded ſo much to his Eaſe, that he lov'd his Book above all Exerciſes; and had even contracted ſuch a Lazineſs of Mind, that he had no delight in an open and liberal Converſation; and cared not to diſcourſe, and argue on thoſe points, which he underſtood very well, only for the trouble of contending; and could never impoſe upon himſelf the pain that was neceſſary to be undergone in ſuch a perpetual attendance: but then thoſe leſſer duties might be otherwiſe provided for, and he could well Support the Dignity of a Governour, and exact that diligence from others, which he could not exerciſe Himſelf; and his Honour was ſo unblemiſhed, that none durſt murmur againſt the deſignation; and therefore his Majeſty thought him very worthy of the high Truſt, againſt which there was no other exception, but that he was not Ambitious of it, nor in truth willing to receive and undergo the Charge, ſo contrary to his natural Conſtitution. But in his pure Zeal and Affection for the Crown, and the Conſcience, that in this conjuncture his ſubmiſſion might Advance the King's Service, and that the refuſing it might prove diſadvantageous to his Majeſty, He very chearfully undertook the Province, to the general Satisfaction and publick Joy of the whole Kingdom; and to the no little Honour and Credit of the Court, that ſo important and beloved a Perſon would Attach himſelf to it under ſuch a relation, when ſo many, who had ſcarce ever eaten any Bread but the Kings, Detached themſelves from their dependence, that they might without him, and againſt him, preſerve and improve thoſe Fortunes, which they had procured and gotten under him, and by his Bounty.

The King preſſed to paſs the Bill againſt the Biſhops Votes.

Now the Bill for taking away the Votes of Biſhops out of the Houſe of Peers, which was called a Bill for taking away all Temporal Juriſdiction from thoſe in holy Orders, was no ſooner paſſed the Houſe of Peers, than the King was earneſtly deſired

desired "To give his Royal Assent to it. The King return'd, "That it was a matter of great Concernment: and therefore, "He would take time to Advise, and would return an Answer "in convenient time. But this delay pleased not their appetite; they could not attempt their perfect Reformation in Church and State, till these Votes were utterly abolished; therefore they sent the same day again to the King, who was yet at *Windsor*, and gave him reasons to perswade him "Immediately to consent to it; One of which was the Grievances the Subjects suffer'd by the Bishops exercising of Temporal Jurisdiction, and their making a Party in the Lords "House; a Second, the great Content of all sorts by the "happy Conjunction of both Houses in their absence: and a "Third, that the passing of that Bill would be a comfortable "pledge of his Majesty's gracious Assent to the future Remedies of those Evils, which were to be presented to him, this "once being passed.

REASONS sufficient to have Converted Him, if he had the least inclination or propensity to have Concurr'd with Them. For it was, upon the matter, to perswade him to joyn with them in this, because, That being done, he should be able to deny them nothing.

HOWEVER those of greatest Trust about the King, and who were very faithful to his Service, though in this particular exceedingly deceiv'd in their judgments, and not sufficiently acquainted with the Constitution of the Kingdom, perswaded him "That the passing this Bill was the only way "to preserve the Church, there being so united a Combination in this particular, that he would not be able to withstand it. Whereas, by the passing this Bill, so many persons in both Houses would be fully satisfied, that they "would joyn in no further alteration: but, on the other hand, "if they were crossed in this, they would violently endeavour an Extirpation of Bishops, and a demolishing of the "whole Fabrick of the Church.

THEY alledged that he was, upon the matter, deprived "of their Votes already, they being not suffer'd to come to "the House, and the Major part in Prison under an accusation "of High Treason, of which there was not like to be any "Reformation, till these present Distempers, were composed; "and then that by his Power, and the memory of the indirect "means that had been used against them, it would be easier "to bring them in again, than to keep them in now. They "told him, there were two matters of great Importance "pressed upon him for his Royal Assent, but they were not "of equal consequence, and concernment to his Soveraign "Power; the First, that Bill touching the Bishops Votes; the Other,

"Other, the whole Militia of the Kingdom, the granting of "which would absolutely divest him of all Regal Power; "that he would not be able to deny Both; but by granting "the former, in which he parted with no matter of Moment, "he would, it may be, not be pressed in the second; or if "he were, that as he could not have more Popular Quarrel "to take up Arms, than to defend himself, and to preserve that "Power in his hands, which the Law had vested in him, and "without which he could not be a King; so he could not "have a more Unpopular argument for that Contention, than "the preservation of the Bishops in the House of Peers, which "few Men thought Essential and most Men believ'd Preju-"dicial, to the Peace and Happiness of the Kingdom.

THESE arguments, though used by Men whom he most trusted, and whom he knew to have opposed that Bill in its passage, and to be cordially Friends to the Church of *England* in Discipline and Doctrine, prevail'd not so much with his Majesty, as the perswasions of the Queen; who was not only perswaded to think those reasons valid (and there are that believe that Infusion to have been made in Her by her own Priests, by instructions from *France*, and for reasons of State of that Kingdom) but that her own Safety very much depended upon the King's consent to that Bill; and that, if he should refuse it, Her Journey into *Holland* would be crossed by the Parliament, and possibly her Person in danger either by the Tumults, which might easily be brought to *Windsor* from *Westminster*, or by the Insurrection of the Countries in her passage from thence to *Dover*, where she intended to take Shipping. Whereas by her Intercession with the King to do it, she would lay a most Seasonable and Popular Obligation upon the whole Nation, and leave a pleasant odour of her Grace and Favour to the People behind her, which would prove much to her advantage in her absence; and she should have the Thanks for that Act, as required by her goodness, which otherwise would be extorted from the King, when she was gone.

The King passes that Bill, and the other of Pressing, Feb. 14.

THESE Insinuations and Discourses so far satisfied the Queen, and she the King, that, contrary to his most positive Resolution, the King consented, and sent a Commission for the Enacting both that Bill, and the other about Pressing; which was done accordingly, to the great Triumph of the Boutefeus, the King sending the same day that he Pass'd those Bills, which was the fourteenth of *February*, a Message to both Houses; "That he was assured his having Pass'd those "two Bills, being of so great importance, so suddainly, would "serve to assure his Parliament, that he desired nothing more "than the Satisfaction of his Kingdom. For *Ireland*, he said,

"as

"as he had Concur'd in all Propoſitions made for that Ser-
"vice by his Parliament, ſo he was Reſolv'd to leave nothing
"undone for their Relief, which ſhould poſſibly fall within
"his Power, nor would refuſe to venture his own Perſon in
"that War, if the Parliament ſhould think it convenient, for
"reduction of that miſerable Kingdom.

THE paſſing that Bill for taking away the Biſhops Votes, exceedingly weaken'd the King's Party; not only as it ſwept away ſo conſiderable a number out of the Houſe of Peers, which were conſtantly devoted to him; but as it made impreſſion on others, whoſe minds were in ſuſpence, as when Foundations are ſhaken. Beſides, they that were beſt acquainted with the King's Nature, Opinions, and Reſolutions, had reaſon to believe, that no exigence could have wrought upon him to have conſented to ſo Anti-Monarchical an Act; and therefore, never after retained any confidence, that he would deny what was Importunately asked; and ſo, either abſolutely withdrew themſelves from thoſe conſultations, thereby avoiding the envy, and the danger of oppoſing them, or quietly ſuffered themſelves to be carried by the Stream, and to conſent to any thing that was Boldly and Luſtily attempted.

AND then it was ſo far from dividing the other Party, that I do not remember One man, who vehemently inſiſted on, or indeed heartily wiſhed, the paſſing of that Bill, that ever deſerted them, till the Kingdom was in a Flame: but on the contrary, very many, who cordially and conſtantly oppoſed that Act, as friends rather to Monarchy than Religion, after that Bill, never conſider'd or reſiſted any attempt, or further alteration, in the Church, looking on the Biſhops as uſeleſs to Soveraignty, and ſo not of Importance enough to be defended by the Sword. And I have heard the ſame Men, who urged Before, "That their places in that Houſe
"had no relation to the Diſcipline of the Church, and their
"Spiritual Juriſdiction, and therefore ought to be Sacrificed
"to the Preſervation of the other, upon which the Peace, and
"Unity of Religion ſo much depended, ſince argue, "That
"Since their Power in that Houſe, which was a good Out-
"work to defend the King's from Invaſion, was taken away,
"any other form of Government would be equally advanta-
"geous to his Majeſty; and therefore, that he ought not to
"inſiſt on it, with the leaſt inconvenience to his condition.

BUT that which was above, or equal to all this, was that by his Majeſty enacting thoſe two Bills, he had, upon the matter approved the Circumſtances of their paſſage, which had been by direct violence, and almoſt force of Arms; in which caſe, he ought not to have confirm'd the moſt Politick,

tick, or the most Pious Constitutions: *Male posita est Lex, quæ tumultuarie posita est*, was one of those positions of *Aristotle*, which hath Never been since contradicted, and was an advantage, that, being well managed, and stoutly insisted upon, would, in spight of all their Machinations, which were not yet firmly and solidly formed, have brought them to a temper of being Treated with. But I have some cause to believe, that even this Argument, which was Unanswerable for the Rejecting that Bill, was applied for the Confirming it; and an opinion that the violence, and force, used in procuring it, render'd it absolutely Invalid and Void, made the Confirmation of it less consider'd, as not being of strength to make that Act good, which was in it Self Null. And I doubt this Logick had an influence upon other Acts of no less Moment than these: but it was an Erroneous and Unskilful suggestion; for an Act of Parliament, what Circumstances soever concurr'd in the contriving and framing it, will be always of too great reputation to be avoided, or to be declared Void, by the sole Authority of any Private Persons, or the Single power of the King Himself. And though the Wisdom, Sobriety, and Power, of a future Parliament, if God shall ever bless the Kingdom with another Regularly Constituted, may find cause to declare this, or that Act of Parliament, Void; yet there will be the same temper requisite to such a Declaration, as would serve to Repeal it. And it may be Then, many men, who abhorr'd the thing when it was done, for the manner of doing it, will be of the Civilians opinion, *Fieri non debuit, factum valet*; and never consent to the Altering of that, which they would never have consented to the Establishing of; neither will that single President of the Judges in the Case of King *Henry* the Seventh, when they declared the Act of Attainder to be Void by the Accession of the Crown (though if he had in truth been the person, upon whom the Crown had Lineally and Rightfully descended, it was good Law) find, or make, the Judges of another Age parallel to them, till the King hath as strong a Sword in his hand, and the People as much at his devotion and disposal; and then the Making, and Declaring Law, will be of equal Facility, though it may be not of equal Justice. How much soever the King's Friends were, for the reasons aforesaid, dejected upon the passing those two Acts, it is certain, They who thought they got whatsoever He lost, were mightily Exalted, and thought Themselves now Superior to any Opposition: And what returns of duty and acknowledgement they made to the King for that Grace and Favour, is to be remember'd in the next place.

The same day those two Acts were by his Majesty's Commission

miſſion paſſed, and as ſoon as a very ſhort Meſſage of thanks for that favour, as much importing the Safety of both Kingdoms, of *England* and *Ireland*, was conſented to, an Ordinance for ſettling the Militia was agreed on by both Houſes, and, together with a liſt of the Names of ſuch Perſons, as for the preſent they meant to Confide in, was immediately ſent to the King for his Approbation; the which, being the moſt Avowed foundation of all the Miſeries that have followed, will be here neceſſary to be inſerted in the very terms and form it was agreed upon, and preſented; and was as followeth.

An Ordinance of both Houſes of Parliament for the ordering of the Militia of the Kingdom of England, *and Dominion of* Wales.

An Ordinance agreed on by both Houſes for ſettling the Militia.

"WHEREAS there hath been of late a moſt dangerous "and deſperate deſign upon the Houſe of Commons, which "we have juſt cauſe to believe to be the effect of the bloody "Counſels of the Papiſts, and other ill affected Perſons, who "have already raiſed a Rebellion in the Kingdom of *Ireland*, "and, by reaſon of many diſcourſes, we cannot but fear "they will proceed, not only to ſtir up the like Rebellion, "and Inſurrection in this Kingdom of *England*, but alſo to "back them with Forces from abroad; for the ſafety there-"fore of his Majeſty's Perſon, the Parliament, and Kingdom, "in this time of imminent danger, it is ordain'd by the King, "the Lords, and Commons, now in Parliament aſſembled, "That ſhall have power to aſſemble, and call "together all and ſingular his Majeſty's Subjects within the "County of as well within Liberties, as without, "that are meet and fit for the Wars, and them to Train, Exer-"ciſe, and put in readineſs, and them, after their Abilities, and "Faculties, well and ſufficiently, from time to come, to cauſe "to be array'd, and weaponed, and to take the Muſter of "them in places moſt fit for that purpoſe. And "ſhall have power within the ſaid County to nominate, and "appoint ſuch perſons of Quality, as to him ſhall ſeem meet, "to be his Deputy Lieutenants, to be approved of by both "Houſes of Parliament: and that any one, or more of the "ſaid Deputies, ſo aſſign'd and approv'd of, ſhall in the ab-"ſence, or by the Command of the ſaid have "Power and Authority to do and execute within the County "of all ſuch Powers and Authorities before in "this preſent Ordinance contain'd; and ſhall have power to "make Colonels, and Captains, and other Officers, and to "remove out of their places, and to make others from time to "time,

"time, as he shall think fit for that purpose. And "his Deputies, Colonels, and Captains, and other Officer's, "shall have further Power and Authority to Lead, Conduct, "and Imploy, the persons aforesaid, array'd, and weaponed, "as well within the County of as within any "other part of this Realm of *England*, or Dominion of *Wales*, "for the suppressing of all Rebellions, Insurrections, and In- "vasions, that may happen, according as they, from time to "time, shall receive directions by his Majesty's Authority, "signified unto them by the Lords and Commons, assembled "in Parliament. And it is further Ordain'd, that such, as "shall not obey in any of the Premises, shall answer their "neglect and contempt to the Lords and Commons in a Par- "liamentary way, and not otherwise, nor elsewhere: and "that every the Powers, granted as aforesaid, shall continue, "until it shall be otherwise order'd, or declar'd by both Houses "of Parliament, and no longer. This to go "also to the Dominion of *Wales*.

A second Act of the same day, and the only way they took to return their thanks and acknowledgment to the Queen for her intercession, and mediation in the passing those Bills, was the opening a Letter they intercepted, which was directed to her Majesty. The Lord *Digby*, after their Majesty's going to *Windsor*, when he found in what umbrage he stood with the powerful and prevailing Party, and that they were able to improve his going through a Town in a Coach and six horses to a Warlike appearance, and so to expose him to the fury of the People, at least to the power of the Counties, to be suppressed, as they had done by their Order, or Proclamation of the twelfth of *January*, before remember'd, and appointed to be read in all Market Towns throughout *England*; concluded for his own security, and to free the King's Councils from the imputation of his evil influence, to remove himself into some parts beyond the Seas: and so, by the King's leave, and by his licence, was transported into *Holland*, from whence he writ some Letters to his friends at *London*, to give them an account where he was, and for supplying himself with such accommodations as he stood in need of. Amongst these Letters there was one to his Brother in Law Sr *Lewis Dives*, which, by the treachery of that person, to whose care it was intrusted for conveyance, was brought to the House of Commons: and it being averred, "That it came "from the Lord *Digby* whom they looked upon as a Fugi- tive, they made no scruple of opening it; and finding another in it directed to the Queen, after a very little pause they did the like; for which they made no other excuse (when upon a Message

a Meſſage from the King they ſent her the tranſcript, for the Original they ſtill kept) than, "That having opened the other "Letters, and finding in them ſundry expreſſions full of aſpe- "rity, and malignity to the Parliament, they thought it very "probable, that the like might be contained in that to her "Majeſty; and that it would have been diſhonourable to her "Majeſty, and dangerous to the Kingdom, if it ſhould not "have been opened: and they beſought the King to per- "ſwade her Majeſty, the ſhe would not vouchſafe any coun- "tenance to, or correſpondence with, the Lord *Digby*, or "any other of the Fugitives or Traytors, whoſe offences were "under the examination and judgment of Parliament.

IN that Letter to the Queen, were theſe words, "If the "King betake himſelf to a ſafe place, where he may avow "and protect his Servants (from rage I mean and violence; "for from juſtice I will never implore it) I ſhall then live in "impatience, and in miſery, till I wait upon you. But if, "after all he hath done of late, he ſhall betake himſelf to the "eaſieſt and complyanteſt ways of accommodation, I am "confident, that then I ſhall ſerve him more by my abſence, "than by all my induſtry. And in that to Sr *Lewis Dives*, were theſe words: "God knows, I have not a thought to "make me bluſh towards my Country, much leſs criminal; "but where Traytors have ſo great a ſway, the honeſteſt "thoughts may prove moſt Treaſonable. Which gave thoſe, that thought themſelves concern'd, ſo great offence, that with- in two days after, they accuſed him of High Treaſon; and finding no words in the Letter would amount to that offence, they accuſed him of levying War againſt the King; which could have relation to no Act of his, but what was before mentioned at *Kingſton* upon *Thames*, when to the terrour of the King's Subjects, he was ſeen there in a Coach with ſix Horſes. Though this extravagancy of theirs ſeems to be di- rected againſt a particular perſon, I could not omit it in this place, being accompanied with thoſe circumſtances. And it may be, poſterity may look upon the ſevere proſecution of a young Noble man of admirable parts, and eminent hopes, in ſo implacable a manner, as a moſt pertinent inſtance of the Tyranny, and Injuſtice of that time, not poſſible to end, but in ſo much wickedneſs as hath ſince been practiſed.

The Attur- ney General is impeach'd by the Com- mons.

A THIRD Act of that day was the carrying up an Im- peachment to the Lords againſt the King's Atturney General, "For maliciouſly adviſing and contriving the Articles upon "which the Lord *Kimbolton*, Mr *Hollis*, Mr *Pym*, Mr *Hamb- "den*, Mr *Strode*, and Sr *Arthur Haſlerig*, had been accuſed "by his Majeſty of High Treaſon; it being not thought ſecu- rity and reparation enough, that the King had waved any

further proceeding againſt them, except they left ſuch a monument of their power, that upon what occaſion or provocation ſoever, no man ſhould preſume to obey the King in the like command: ſo that the ſame fourteenth of *February*, that was celebrated for the King's condeſcenſion to that Act for putting the Biſhops out of the Houſe of Peers, is famous likewiſe for thoſe three Unparallelled Acts of contempt upon the Soveraign power; the demand of the ſole power over all the Militia of the Kingdom; the opening Letters directed to the Sacred perſon of the Queen; and the impeaching the Atturney General, for performing what he took to be the duty of his place, by his Maſter's command. All which were very ill inſtances of that application and compliance his Majeſty had reaſon to expect, and ſome men had promiſed him he ſhould receive.

The King's Anſwer concerning the Militia.

THOUGH the King was reſolved in no degree to conſent to the Propoſition for the Militia, yet he thought not the time ſeaſonable for his poſitive Denyal, the Queen retaining ſtill her fears of being ſtopped in her Journey. Therefore, for the preſent, he returned Anſwer, "That his deareſt Con-"ſort the Queen, and his dear Daughter the Princeſs *Mary*, "being then upon their departure for *Holland*, he could not "have ſo good time to conſider of a particular anſwer for a "matter of ſo great weight, as That was; and therefore, he "would reſpite the ſame till his return: the King intending to accompany the Queen to *Dover*, and as ſoon as ſhe was imbarked to return. They received this Anſwer with their uſual impatience, and the next day ſent Meſſengers to him, with that, which they called an Humble Petition; in which

Their reply.

they told him, "That they had, with a great deal of grief, "received his Anſwer to their juſt and neceſſary Petition con-"cerning the Militia of the Kingdom; which by a gracious "Meſſage formerly ſent unto them, he had been pleaſed to "promiſe ſhould be put into ſuch hands, as his Parliament "ſhould approve of, the extent of their power, and the time "of their continuance, being likewiſe declared; the which "being now done, and the perſons Nominated, his Majeſty "nevertheleſs reſerved his reſolution to a longer, and a very "uncertain time; which they ſaid, was as unſatisfactory and "deſtructive as an abſolute Denial. Therefore, they once "again beſought him to take their deſire into his Royal "thoughts, and to give them ſuch an Anſwer, as might raiſe "in them a Confidence, that they ſhould not be expoſed to "the practices of thoſe who thirſt after the ruine of this King-"dom, and the kindling of that cumbuſtion in *England*, "which they had in ſo great a meaſure effected in *Ireland*; "from whence, as they were informed, they intended to

"invade

"invade this Kingdom, with the assistance of the Papists here. "They said, nothing could prevent those evils, nor enable "them to suppress the Rebellion in *Ireland*, and secure Them- "selves, but the Instant granting of that their Petition; which, "they hoped, his Majesty would not deny to those, who "must, in the discharge of their duty to his Majesty and the "Common-wealth, represent unto him, what they found so "absolutely necessary for the preservation of both; which "the Laws of God and man enjoyned them to see put in exe- "cution, as several Counties by their daily Petitions desired "Them to do, and in some places begun already to Do it of "Themselves. Notwithstanding all that importunity, the King made no other Answer than formerly he had done, "That he would give a full Answer at his return from *Dover*.

IN the mean time, the House of Commons, to whom every day Petitions are directed by the several Counties of *England*, professing all Allegiance to them, govern Absolutely, the Lords concurring, or rather submitting, to whatsoever is proposed; insomuch as when they had bailed the twelve Bishops, who were in the Tower for the Treason of their Protestation, which they did the next day after the Bill was passed for taking away their Votes, the House of Commons in great indignation expostulated with them, and caused them immediately again to be recommitted to the Tower. So they gave their private intimations to their Correspondents in the Counties, that they should make small entries upon the Militia; which was done in many places, the people choosing their Officers, and Listing themselves, and so Training and Exercising under the name of Voluntiers: whereby they had opportunity to unite themselves, to know their Confederates, observe those who were of other opinions, and to provide Arms and Ammunition against they should have occasion. The Tower of *London* was at their Devotion, and *Hull* was their own; the Mayor of that place having been lately sent for and reprehended, for having said, "That they ought not "to have Soldiers billetted upon them by the Petition of "Right, and for refusing to submit that Town, which was "His charge, to the Government of Mr *Hotham*; and after a tedious and chargeable attendance, without being brought to a publick hearing, he was perswaded to submit; and so was discharged.

The Lords bail the 12 Bishops in the Tower, and the Commons recommit them.

Divers Counties enter upon exercising the power of the Militia.

THEN they fell to raising of money under pretence of the relief of *Ireland*, and, for that purpose, prepared, "An Act "for the payment of four hundred thousand pounds to such "persons as were Nominated by themselves, and to be dis- "bursed and issued in such manner, and to such uses, as the "two Houses should direct, which the King confirmed ac- "cordingly;

Money raised under pretence of relieving Ireland.

"cordingly; whereby they had a ſtock of credit to raiſe monies, whenſoever they found themſelves put to it: And this could not be prevented; for the King having committed the carrying on the War of *Ireland* to them, and they being engaged both for the payment of the arrears to the Officers of the Northern Army disbanded the Summer before, and of the three hundred thouſand pounds to the *Scots*, his Majeſty was neceſſitated to paſs the Act with ſuch General clauſes, that it might be in their power to divert the money to other uſes than thoſe to which it was given; as it afterwards fell out.

The Queen ſhipped for Holland, *the King returns to* Green-wich, *where the Prince meets him.*

THE Queen being ſhipped for *Holland*, his Majeſty returned to *Greenwich*, whither he had ſent to the Marquis of *Hertford* to bring the Prince of *Wales* from *Hampton-Court* to meet him; of which as ſoon as the Houſes were advertiſed, they ſent a Meſſage to the King, who was upon his way from *Dover*, to deſire him, "That the Prince might not be removed "from *Hampton-Court*, for that they conceived his removal "at That time, might be a cauſe to promote Jealouſies and "Fears in the hearts of his good Subjects, which they thought "neceſſary to avoid; and, at the ſame time, ſent an expreſs Order to the Marquis of *Hertford*, "To require him not "to ſuffer the Prince to go to *Greenwich*; but his Lordſhip, chooſing rather to obey the King's commands than Theirs, carried his Highneſs to his Father; of which the Houſes no ſooner were informed, than they ſent ſome Members of both Houſes to *Greenwich* "To bring the Prince from thence to *London*. But when they came thither, they found the King, whom they did not expect there; and ſo made no attempt to perform that command. The reaſon of this extravagancy (beſides their natural humour to affront the King, and this ſeeming care of the Prince was a Popular thing) was pretended to be an information they had received from a Member of the Houſe.

THERE was one *Griffith* a young Welſh-man, of no parts of reputation, but for eminent Licence; this youth had long, with great boldneſs, followed the Court, and pretended to preferment there; and ſo in the Houſe had always oppoſed, as far as not conſenting, all the undutiful Acts towards the King, and, upon this ſtock of merit, had preſſed more confidently for a reward; and, when the Queen was ready to take ſhipping at *Dover* for *Holland*, he barefaced importuned her to mediate to the King, "That he might be forthwith ad-"mitted of the Prince's Bed-Chamber; the which her Majeſty refuſing, he told his Companions, "That ſince he could "not render himſelf conſiderable by doing the King Service, "he would be conſiderable by doing him Diſſervice: and ſo made great haſte to *London*, and openly in the Houſe told them

them (the same day that the Prince was to go to *Greenwich*) "That if they were not exactly careful, they would speedily "lose the Prince; for, to His knowledge, there was a de- "sign and resolution immediately to carry him into *France*. From which senseless and groundless information, he was taken into their favour; and, his Malice supplying the defect of other parts, was thenceforth taken into Trust, and used as their *Bravo* to justify all their Excesses in Taverns and Ordinaries. And I saw M^r *Hambden*, shortly after this discovery, take him in his Arms, telling him, "His Soul rejoyced to see, "that God had put it into his Heart to take the right way.

To their Message the King sent them word, "That to "their Fears and Jealousies he knew not what Answer to "give, not being able to imagine from what grounds they "proceeded; but if any information had been given to them "to cause those apprehensions, he much desired the same "might be examined to the bottom; and then he hoped that "their Fears and Jelousies would be hereafter continued "only with reference to his Majesty's Rights and Honour.

The King's further Answer concerning the Militia.

THE Queen being gone, and the Prince come to his Father at *Greenwich*, the King sent an Answer to the two Houses concerning the Militia; "That having, with his best care and "understanding perused and considered that, which had been "sent him from both Houses, for the ordering the Militia to "be made an Ordinance of Parliament by the giving his Royal "Assent, as he could by no means do it for many reasons, "so he did not conceive himself obliged to it by any pro- "mise made to them in his Answer to their former Petition. "He said, he found great cause to except against the Preface, "or Introduction to that Order; which confessed a most dan- "gerous and desperate design upon the House of Commons "of late, supposed to be an effect of the bloody Counsels of "Papists, and other ill affected Persons, by which many might "understand (looking upon other Printed Papers to that pur- "pose) his own coming in Person to the House of Com- "mons on the fourth of *January*, which begot so unhappy a "misunderstanding between him and his People. And for "that, though he believ'd it, upon the information since "given him, to be a breach of their Privileges, and had of- "fer'd, and was ready, to repair the same for the future, by "any Act should be desired from his Majesty; yet he must "declare, and require to be believed, that he had no other "design upon that House, or any Member of it, than to re- "quire, as he did, the Persons of those five Gentlemen he "had before accused of High Treason, and to declare that "he meant to proceed against them legally, and speedily; "upon which he believ'd that House would have delivered "them up.

"He called the Almighty God to witness, that he was so "far from any intention, or thought, or Force, or Violence, al- "though that House had not delivered them according to his "demand, or in any case whatsoever, that he gave those his "Servants, and others, who then waited on his Majesty, ex- "press charge and command, that they should give no of- "fence unto any Man; nay if they received any provocation "or injury, that they should bear it without return; and he "neither saw, nor knew, that any Person of his train had any "other weapons, but his Pensioners and Guard, those with "which they usually attend his Person to Parliament; and "the other Gentlemen, Swords. And therefore he doubted "not, but the Parliament would be regardful of his Honour "therein, that he should not undergo any imputation by the "rash and indiscreet expressions of any young Men then in his "train, or by any desperate words utter'd by others, who "might mingle with them without his Consent or Appro- "bation.

"For the Persons nominated to be the Lieutenants of the "several Counties of *England* and *Wales*, he said he was con- "tented to allow that recommendation; only concerning the "City of *London*, and such other Corporations as by ancient "Charters had granted to them the Power of the Militia, he "did not conceive that it could stand with Justice or Policy "to alter their Government in that particular. And he was "willing forthwith to grant to every one of them, that of "*London* and other Corporations excepted, such Commissions "as he had granted this Parliament, to some Lords Lieute- "nants by their advice. But if that Power were not thought "enough, but that more should be thought fit to be granted "to those Persons named, than, by the Law, is in the Crown, "it self, he said, he thought it reasonable that the same should "be by some Law first vested in him, with Power to trans- "fer it to those Persons; which he would willingly do: and "whatever that Power should be, to avoid all future doubts "and questions, he desired it might be digested into an Act "of Parliament, rather than an Ordinance; so that all his "Subjects might thereby particularly know, both what they "were to do, and what they were to suffer for their neglect; "that so there might be the the least latitude for them to suffer "under any Arbitrary Power whatsoever.

"To the time desired for the Continuance of the powers "to be granted, he said, he could not consent to divest him- "self of the just Power, which God, and the Laws of the "Kindom, had placed in him for the defence of his People, "and to put it into the hands of others for any indefinite "time. And since the ground of their request to him was to

"secure

"ſecure their preſent Fears and Jealouſies, that they might "with ſafety apply themſelves to his Meſſage of the 20th of *Ja-* "*nuary*, he hoped that his Grace to them ſince that time, in "yielding to ſo many of their deſires, and in agreeing to the "Perſons now recommended to him, and the Power before "expreſſed to be placed in them, would wholly diſpel thoſe "Fears and Jealouſies; and he aſſured them, that as he had "apply'd this unuſual remedy to their doubts; ſo, if there "ſhould be cauſe, he would continue the ſame to ſuch time, "as ſhould be agreeable to the ſame care he now expreſſed "towards them.

"He ſaid, he was ſo far from receding from any thing "he had promiſed, or intended to grant in his former An- "ſwer, that he had hereby conſented to all that had been then "asked of him by that Petition, concerning the Militia of "the Kingdom, except that of *London*, and the other Corpo- "rations; which was, to put the ſame into the hands of ſuch "Perſons, as ſhould be recommended to him by both Houſes "of Parliament. And he doubted not but they, upon well "weighing the particulars of that his Anſwer, would find "the ſame more ſatisfactory to their ends, and the Peace and "Welfare of all his good Subjects, than the way propoſed by "that intended Ordinance; to which, for thoſe reaſons, he "could not conſent.

"And whereas he obſerv'd by their late Petition, that in "ſome places, ſome Perſons begun already to intermeddle of "themſelves with the Militia, he ſaid, he expected his Par- "liament ſhould examine the particulars thereof, it being a "matter of high concernment, and very great conſequence. "And he required, that if it ſhould appear to them, that any "Perſon whatſoever had preſumed to Command the Militia "without lawful Authority, they might be proceeded againſt "according to Law.

Votes of both Houſes upon it.

It ſeems this was not the Anſwer they promiſed themſelves; for, at the publiſhing it, they were marvelloufly tranſported, and immediately Voted, both Houſes concurring in it, "That thoſe who adviſed his Majeſty to give that Anſwer, "were Enemies to the State, and miſchievous Projectors a- "gainſt the defence of the Kingdom: That that denial was "of that dangerous Conſequence, that if his Majeſty ſhould "perſiſt in it, it would hazard the Peace and Safety of all "his Kingdoms, unleſs ſome ſpeedy Remedy were apply'd by "the Wiſdom, and Authority of both Houſes of Parliament: "And that ſuch parts of the Kingdom, as had already put "themſelves into a poſture of Defence againſt the Common "Danger, had done nothing but what was juſtifiable, and was "approv'd by both Houſes. And having cauſed theſe, and

such other Resolutions to be immediately published in Print, that their Friends abroad might know what they had to do, they sent a Committee of both Houses to the King at *Theobalds* with another Petition; in which they told him, "That "their just apprehensions of Sorrow and Fear, in respect of "the publick Dangers and Miseries like to fall upon his Ma- "jesty and the Kingdom, were much increased upon the re- "ceipt of his unexpected denial of their most Humble and "Necessary Petition concerning the Militia of the Kingdom; "and that they were especially griev'd, that wicked and mis- "chievous Counsellors should still have that Power with him, "as in that time of approaching and imminent Ruine, he "should rather incline to that, which was apt to further the "accomplishment of the desires of the most Malignant Ene- "mies of God's true Religion, and of the Peace and Safety "of himself, and his Kingdom, than to the Dutiful and Faith- "ful Counsel of his Parliament. Wherefore, they said, they "were inforced in all Humility to protest, that, if his Majesty "should persist in that denial, the dangers and distempers of "the Kingdom were such, as would endure no longer delay: "but unless he should be graciously pleased to assure them by "those Messengers, that he would speedily apply his Royal "Assent to the satisfaction of their former desires, they should "be inforced, for the Safety of his Majesty and his Kingdoms, "to dispose of the Militia by the Authority of both Houses, "in such a manner as had been propounded to him; and they "resolv'd to do it accordingly.

A Petition of both Houses to the King at Theobalds.

"They likewise most Humbly besought his Majesty to "believe, that the dangerous and desperate design upon the "House of Commons, mentioned in their Preamble, was not "inserted with any intention to cast the least aspersion upon "his Majesty; but therein they reflected upon that Malignant "Party, of whose Bloody and Malicious practices they had "so often experience, and from which they could never be "secure, unless his Majesty would be pleased to put from "him those wicked and unfaithful Counsellors, who inter- "posed their own corrupt and malicious designs, betwixt his "Majesty's Goodness and Wisdom, and the prosperity and "contentment of himself, and of his People: And that for the "dispatch of the great Affairs of the Kingdom, the Safety of "his Person, the Protection and Comfort of his Subjects, he "would be pleased to continue his abode near to *London*, and "the Parliament; and not to withdraw himself to any the "remoter parts, which if he should do, must needs be a cause "of great danger and distraction.

"That He would likewise be graciously pleased to con- "tinue the Prince's Highness in those parts at St *James's*,

"or

"or any other of his Houſes near *London*; whereby the de-
"ſigns, which the Enemies of the Religion, and Peace of the
"Kingdom might have upon his Perſon, and the Jealouſies
"and Fears of his People might be prevented.

AND they beſought him to be inform'd by them, that,
"By the Laws of the Kingdom, the Power of raiſing, order-
"ing, and diſpoſing of the Militia within any City, Town,
"or other Place, could not be granted to any Corporation by
"Charter, or otherwiſe, without the Authority and Conſent
"of Parliament: And that thoſe parts of the Kingdom, which
"had put themſelves in a poſture of Defence againſt the
"Common danger, had therein done nothing but according
"to the Declaration and Direction of both Houſes, and what
"was juſtifiable by the Laws of the Kingdom. All which
"their moſt humble Counſel and Deſires they prayed him to
"accept, as the effect of that Duty and Allegiance, which
"they owed unto him, and which would not ſuffer them to
"admit of any thoughts, intentions, or endeavours, but ſuch
"as were neceſſary and advantageous for his Greatneſs, and
"Honour, and the Safety, and Proſperity of the Kingdom,
"according to that Truſt and Power which the Laws had re-
"poſed in them.

The King's preſent Anſwer.

ASSOON as the Petition was read, the King told them that preſented it, "That he was ſo much amazed at their Meſ-
"ſage, that he knew not what to Anſwer. He ſaid, they
"ſpoke of Jealouſies, and Fears, but he deſired them to lay
"their hands to their hearts, and ask themſelves, whether He
"might not likewiſe be diſturbed with Fears and Jealouſies?
"and if ſo, he aſſured them, that Meſſage had nothing leſ-
"ſened them.

"FOR the Militia, he ſaid, he had thought ſo much of it
"before he ſent his Anſwer, and was ſo well aſſured that the
"Anſwer was agreeable to what, in juſtice or reaſon, They
"could ask, or He in Honour grant, that he ſhould not alter
"it in any point.

"FOR his Reſidence near them, he ſaid, he wiſhed it might
"be ſo ſafe and Honourable, that he had no cauſe to abſent
"himſelf from *White-Hall*: He bid them ask themſelves, whe-
"ther he had not? For his Son, "He ſaid, he ſhould take that
"care of him, which ſhould juſtify him to God, as a Father;
"and to his Dominions, as a King. To conclude, he aſſured
"them upon his Honour, that he had no thought but of
"Peace, and Juſtice to his People; which he would by all
"fair means ſeek to preſerve and maintain, relying upon the
"Goodneſs and Providence of God for the preſervation of
"himſelf, and his Rights.

THIS being ſuddainly, and with more than uſual quick-
neſs

nefs ſpoken by the King, much appall'd them; but they were too far engaged to retire; and therefore, aſſoon as it was reported to the Houſes, they reſolv'd, upon Debate, "That the "Kingdom ſhould be forthwith put into a poſture of Defence, "by Authority of both Houſes, in ſuch a way as had been "formerly agreed upon by both Houſes; and that a Declara- "tion ſhould be ſpeedily ſent unto the King, containing the "cauſes of their juſt Fears and Jealouſies, and to make it evi- "dent that any that were entertained againſt Them were "groundleſs; Ordering at the ſame time, "That all the Lords "Lieutenants of any Counties in *England*, who had been "formerly ſo conſtituted by the King by his Commiſſions "under the great Seal of *England*, ſhould immediately bring "in thoſe Commiſſions to be cancell'd as illegal: Albeit ſome ſuch Commiſſions had been granted, upon their own deſire, ſince the beginning of the Parliament, as particularly to the Earl of *Eſſex* to be Lord Lieutenant of *York-ſhire*, and to the Earl of *Salisbury* for *Dorſet-ſhire*.

The Reſolution of both Houſes upon it.

They ſend to the Earl of Northumberland *to provide a Fleet.*

THEN both Houſes ſent to the Earl of *Northumberland*, being High Admiral of *England*, "That they had receiv'd ad- "vertiſement of extraordinary preparations made, by the "Neighbouring Princes, both by Land and Sea; by which an "apprehenſion was raiſed in both Houſes, that the publick "Honour, Peace, and Safety of his Majeſty, and his Kingdom, "could not be ſecured, unleſs a timely courſe was taken for "the putting the Kingdom into a condition of Defence at "Sea, as well as at Land: and they did therefore Order him "forthwith to give effectual direction that all the Ships be- "longing to his Majeſty's Navy, and fit for Service, and not "already abroad, or deſign'd for the Summers Fleet, ſhould "be Rigged, and put in ſuch a readineſs, as that they might "be ſoon fitted for the Sea: and that his Lordſhip would alſo "make known to the Maſters, and Owners of other Ships, "in any of the Harbours of the Kingdom, as might be of uſe "for the Publick Defence, that it would be an acceptable "Service to the King and Parliament, if they would likewiſe "cauſe their Ship to be Rigged, and ſo far put into a readi- "neſs, as they might, at a ſhort warning, likewiſe to be ſet to "Sea upon any emergent occaſion; which would be a means "of great Security to his Majeſty and his Dominions. To which the Earl return'd an Anſwer full of Submiſſion and Obedience.

I HAVE been aſſured from Perſons of very good Credit, and converſant with thoſe Councils, that they had in deliberation and debate to ſend, and take the Prince from his Father at *Theobalds* by force; but that deſign was quickly laid aſide, when they heard that the King was removed from thence

thence to *New-Market*, and was like to make a further progreſs. So they uſed all poſſible expedition in preparing their Declaration; which they directed to his Majeſty, and in which they told him, "That although that Anſwer, he had "given to their Petition at *Theobalds*, did give juſt cauſe of "ſorrow to them; yet it was not without ſome mixture of "Confidence and Hope, conſidering thoſe expreſſions pro- "ceeded from the miſapprehenſions of their Actions and In- "tentions; which, having no ground of truth or reality, "might, by his Juſtice and Wiſdom, be removed, when he "ſhould be fully inform'd, that thoſe Fears and Jealouſies of "theirs, which his Majeſty thought to be cauſeleſs, and with- "out any juſt ground, did neceſſarily and clearly ariſe from "thoſe dangers and diſtempers, into which the miſchievous "and evil Councils about him had brought the Kingdom. "And that thoſe other Fears and Jealouſies, by which his "Favour, his Royal Preſence, and Confidence, had been "withdrawn from his Parliament, had no foundation, or ſub- "ſiſtence in any Action, Intention, or Miſcarriage of Theirs; "but were merely grounded upon the falſehood and malice of "thoſe who, for the ſupporting and fomenting their own "wicked deſigns againſt the Religion, and Peace of the "Kingdom, did ſeek to deprive his Majeſty of the ſtrength, "and the affection of his People; and Them of his Grace and "Protection; and thereby, to ſubject both his Perſon, and "the whole Kingdom, to Ruine and Deſtruction.

Their Declaration to his Majeſty.

"THAT to ſatisfy his Majeſty's Judgment and Conſcience "in both thoſe Points, they deſired to make a free, and clear "Declaration of the cauſes of their Fears and Jealouſies, in "ſome particulars.

1. "THAT the deſign of altering Religion, in this and his "other Kingdoms, had been potently carried on, by thoſe "in greateſt Authority about him, for divers years together: "and that the Queen's Agent at *Rome*, and the Pope's Agent, "or Nuntio, Here, were not only evidences of that deſign, "but had been great Actors in it.

2. "THAT the War with *Scotland* was procured to make "way for that intent, and chiefly fomented by the Papiſts, "and others Popiſhly affected, whereof they had many evi- "dences, eſpecially their free and general contribution to it.

3. "THAT the Rebellion in *Ireland* was framed, and con- "trived, here in *England*; and that the *Engliſh* Papiſts ſhould "have riſen about the ſame time, they had ſeveral teſtimo- "nies and advertiſements from *Ireland*; and that it was a "common Speech amongſt the Rebels (with which, they "ſaid, other evidences did Concur, as the information of a "Miniſter who came out of *Ireland*; the Letter of one *Tri-*

"*ſtram*

"*ſtram Whetcomb* in *Ireland* to his Brother in *England*, and "many others) that they would recover unto his Majeſty "his Royal Prerogative, wreſted from him by the Puritan "Faction in the Houſes of Parliament in *England*; and would "maintain Epiſcopal Juriſdiction, and the lawfulneſs thereof; "which, they ſaid, were the two quarrels, upon which his "late Army in the North ſhould have been incenſed againſt "them.

4. "THE cauſe they had to doubt that the late deſign, "ſtyl'd the Queen's Pious intention, was for the alteration of "Religion in this Kingdom, for ſucceſs whereof the Pope's "Nuntio (the Count *Rozetti*) enjoyn'd Faſting and Praying "to be obſerv'd every week by the *Engliſh* Papiſts; which, "they ſaid, appear'd to them by one of the original Letters "directed by him to a Prieſt in *Lancaſhire*.

5. "THE boldneſs of the *Iriſh* Rebels in affirming they "do nothing but by Authority from the King; that they call "themſelves the Queen's Army; that the prey and booty "they take from the *Engliſh*, they mark with the Queen's "mark; that their purpoſe was to come into *England*, when "their buſineſs was done in *Ireland*; and ſundry other things "of that kind, which, they ſaid, were prov'd by one *Oconelly*, "and others; but eſpecially in the foremention'd Letter from "*Tiſtram Whetcomb*, wherein there was this paſſage, That ma-"ny other Speeches they utter, concerning Religion, and our "Court of *England*, which he dares not commit to Paper.

6. "THE many attempts to provoke his late Army, and "the Army of the *Scots*, and to raiſe a Faction in the City of "*London*, and other parts of the Kingdom. That thoſe who "had been Actors in theſe buſineſſes, had their dependence, "their countenance, and encouragement, from the Court; "witneſs the Treaſon, whereof Mr *Jermyn*, and others ſtood "accuſed; who, they ſaid, was tranſported beyond Seas by "Warrant under his Majeſty's own hand, after he had given "aſſurance to his Parliament, that he had laid a ſtrict Com-"mand upon his Servants, that none of them ſhould depart "from Court. And that dangerous Petition delivered to "Captain *Leg* by his Majeſty's own hand, accompanied with "a direction Sign'd with *C. R.*

7. "THE falſe and ſcandalous accuſation againſt the Lord "*Kimbolton*, and the five Members of the Houſe of Com-"mons, tender'd to the Parliament by his own Command, "and endeavour'd to be juſtify'd in the City by his own Pre-"ſence and Perſwaſion, and to be put in execution upon their "Perſons by his demand of them in the Houſe of Commons, "in ſo terrible and violent a manner, as far exceeded all for-"mer breaches of Privileges of Parliament acted by his Ma-"jeſty,

"jesty, or any of his Predecessors: and they said, whatever "his own intentions were, divers bloody and desperate Per- "sons, that attended him, discover'd their Affections, and re- "solutions, to have Massacred and destroy'd the Members of "that House, if the absence of those persons accused had "not, by God's Providence, stop'd the giving that *Word*, "which they expected for the setting them upon that barba- "rous and bloody Act: The lifting of Officers, and Soldiers, "for a Guard at *White-Hall*, and such other particulars.

8. "THAT, after a Vote had passed in the House of Com- "mons, declaring that the Lord *Digby* had appear'd in a War- "like manner at *Kingston* upon *Thames*, to the terrour and "affright of his Majesty's good Subjects, and disturbance of "the publick Peace of the Kingdom, he should nevertheless "be in that credit with his Majesty, as to be sent away by "his Majesty's own Warrant to S^r *J. Pennington* to land him "beyond Seas: from whence he vented his own Trayterous "conceptions, that his Majesty should declare himself, and "retire to a place of strength; as if he could not be safe "amongst his People. Which false and malicious counsel, and "advice, they said, they had great cause to doubt, made too "deep an impression upon his Majesty, considering the course "he was pleased to take of absenting himself from his Parlia- "ment, and carrying the Prince with him; which seem'd to "express a purpose in his Majesty to keep himself in a readi- "ness for the acting of it.

9. "THE many advertisements they had from *Rome*, *Pa- "ris*, *Venice*, and other parts, that they still expected that his "Majesty had some great design in hand, for the altering of "Religion, and the breaking the neck of his Parliament. "That the Pope's Nuntio had sollicited the Kings of *France*, "and *Spain*, to lend his Majesty four thousand Men apiece, "to help to maintain his Royalty against the Parliament. "And they said, as that Forreign Force was the most per- "nicious, and Malignant design of all the rest; so they hoped "it was, and should always be, fartheſt from his Majesty's "thoughts; because no Man would believe he would give "up his People, and Kingdom, to be spoil'd by Strangers, if "he did not likewise intend to change both his own Profes- "sion in Religion, and the Publick profession of the King- "dom, that so he might be still more assured of those For- "reign States of the Popish Religion for their future Support, "and Defence.

"THESE, they said, were some of the grounds of their "Fears and Jealousies, which had made them so earnestly im- "plore his Royal Authority, and Protection, for their De- "fence, and Security, in all the ways of Humility and Sub- "mission;

"miſſion; which being denied by his Majeſty, ſeduced by "evil Counſel, they did, with ſorrow for the great and un- "avoidable miſery and danger, which was thereby like to fall "upon his own Perſon, and his Kingdoms, apply themſelves "to the uſe of that Power for the ſecurity and defence of both, "which, by the fundamental Laws and Conſtitutions of the "Kingdom, reſided in them; yet ſtill reſolving to keep them- "ſelves within the bounds of Faithfulneſs, and Allegiance to "his Sacred Perſon, and Crown.

"To the Fears and Jealouſies expreſſed by his Majeſty, "when he ſaid, that for his Reſidence near the Parliament, he "wiſhed it might be ſo ſafe and honourable, that he had no "cauſe to abſent himſelf from *White-Hall*: That, they ſaid, "they took as the greateſt breach of Privilege, that could be "offer'd; as the heavieſt miſery to Himſelf, and imputation "upon Them, that could be imagin'd, and the moſt miſ- "chievous effect of evil Counſels; it rooted up the ſtrongeſt "Foundation of the ſafety, and honour, the Crown afforded; "it ſeem'd as much as might be, they ſaid, to caſt upon the "Parliament ſuch a Charge, as was inconſiſtent with the na- "ture of that great Council, being the Body, of which his "Majeſty was the Head; it ſtruck at the very Being both of "the King and Parliament, depriving his Majeſty, in his own "apprehenſion, of Their Fidelity, and Them of His Prote- "ction; which are the natural bonds and ſupports of Govern- "ment, and Subjection.

"They ſaid, they had according to his Majeſty's deſire, "laid their hands upon their hearts; they had asked them- "ſelves in the ſtricteſt examination of their Conſciences; they "had ſearched their affections, their thoughts, conſidered "their actions; and they found none, that could give his Ma- "jeſty any juſt occaſion to abſent himſelf from *White-Hall*, "and his Parliament; but that he might, with more honour "and ſafety, continue There, than in any other place. They "ſaid, his Majeſty laid a General Tax upon them: if he "would be graciouſly pleaſed to let them know the Particu- "lars, they ſhould give a clear and ſatisfactory Anſwer. But, "they ſaid, they could have no hope of ever giving his Ma- "jeſty ſatisfaction, when thoſe Particulars, which he had "been made believe were true, yet, being produced, and "made known to them, appeared to be falſe; and his Ma- "jeſty notwithſtanding would neither puniſh, nor produce "the Authors, but go on to contract new Fears and Jealou- "ſies, upon General and Uncertain grounds; affording them "no means, or poſſibility of Particular Anſwer to the clearing "of themſelves, of which they gave him theſe Inſtances. "1. The Speeches pretended to be ſpoken at *Kenſington* con-

"cerning

"cerning the Queen, which had been denied and disavowed; "yet his Majesty had not named the Authors. 2. The "Charge and Accusation of the Lord *Kimbolton*, and the five "Members, who refused no Tryal or Examination, which "might stand with the Privileges of Parliament; yet no Au- "thors, no Witnesses, were produced, against whom they "might have reparation for the great injury, and infamy cast "upon them.

"THEY besought his Majesty to consider in what State "he was, how easy and fair a way he had to Happiness, Ho- "nour, Greatness, and Plenty, and Security, if he would joyn "with his Parliament, and his faithful Subjects, in the de- "fence of the Religion, and the Publick Good of the King- "dom. That, they said, was all they expected from him, and "for that, they would return to him their Lives, Fortunes, "and utmost endeavours to support his Majesty, his just So- "veraignty, and a Power over them. But, they said, it was "not Words that could secure them in those their Humble "desires; they could not but too well and sorrowfully re- "member, what gracious Messages they had from him the last "Summer; when, with His privity, the bringing up of the "Army was in agitation: They could not but with the like "affections recall to their minds, how, not two days before "he gave direction for the aforementioned Accusation, and "his own coming to the Commons House, that House re- "ceiv'd from him a Gracious Message, that he would always "have care of Their Privileges, as of his Own Preroga- "tive; and of the safety of Their Persons, as of his Own "Children.

"THEY said, that which they expected, and which would "give them assurance that he had no thought but of Peace, "and Justice to his People, must be some real effect of his "Goodness to them, in granting those things, which the pre- "sent necessity of the Kingdom did inforce them to desire. "And in the first place, that he would be graciously pleased "to put from him those wicked, and mischievous Counsel- "lors, which had caused all those dangers, and distractions; "and to continue his own Residence, and the Prince's, near "*London*, and the Parliament, which, they hoped, would be "a happy beginning of Contentment, and Confidence be- "tween Him and his People; and be followed with many "succeeding Blessings of Honour and Greatness to his Majesty, "and of Security and Prosperity to Them.

IN the Debate of this Declaration, the like whereof had never before been heard of in Parliament, in which they took his Majesty's doubt of his safety at *White-Hall* so heavily, that, they said, "It seemed to cast such a charge upon the Parlia- "ment,

"ment, as was inconsistent with the nature of that great "Council (so apprehensive they were of the least suspicion of want of freedom) the Prevalent Party carried themselves with that pride, and impetuosity, that they would endure no opposition or dispute; insomuch as Sr *Ralph Hopton* (who indeed was very grievous to them for not complying with them) for objecting against some sharp expressions in the Declaration (before it passed the House, and when the Question was, whether it should pass) as being too distant from that reverence, which ought to be used to the King; and for saying, upon a Clause, in which they mentioned their General Intelligence from *Rome*, *Venice*, *Paris*, and other places, of some design the King had upon Religion, and the Parliament, from whence they seem'd to conclude that the King would change his Religion, "That they seemed to ground an opi-"nion of the King's Apostacy, upon a less evidence, than would "serve to hang a Fellow for stealing a Horse, was committed to the Tower of *London*, "For laying an imputation upon "that Committee, which had drawn up the Declaration. Nothwithstanding which, after they had imprison'd him, they thought fit to make That expression less gross, and positive; though as it is set down above (in which words it passed, and was delivered to the King) it was thought by standers by to be very unagreeable to the Gravity of a wise Court, and to the Duty of Subjects.

But in this particular, in oppressing all those who were of different opinions from them, their carriage was so notorious and terrible, that Spies were set upon, and inquiries made upon all private, light, casual discourses, which fell from those who were not Gracious to them: As Mr *Trelawney*, a Member of the House of Commons, and a Merchant of great reputation, was expelled the House, and committed to Prison, for having said, in a Private discourse in the City, to a Friend, "That the House could not appoint a Guard for them-"selves without the King's consent, under pain of High-"Treason: Which was proved by a Fellow, who pretended to overhear him; when the Person himself, with whom the conference was held, declared, "That he said, it Might be im-"puted to them for High Treason: and it was confessed on all parts, that the words were spoken long before the discovery, and some days before the House had Resolved, "That "they would have a Guard. And afterwards, upon the old stock of their dislike, when the War begun to break out, they again imprisoned this honest Gentleman; seized upon all his Estate, which was very good; and suffer'd him to dye in Prison for want of ordinary relief, and refreshment.

And in this very time, we speak of, and in the very business

ſineſs of the Militia, when every day very great multitudes of Petitions from moſt of the Counties of *England*, and from the City of *London*, were preſented to both Houſes, to deſire they might be put into a poſture of defence; and that they would cauſe the Ordinance for the Militia to be ſpeedily executed, which was alledged to be an inſtance of the people's deſire throughout the Kingdom, and the chief ground of their proceeding; the moſt ſubſtantial Citizens of *London* both in Reputation and Eſtate, finding that the Militia of that City, with which by their Charter, and Conſtant Practice, the Lord Mayor had been always intruſted, was now with a moſt extravagant power to be committed to a Number of Factious perſons of the City, part of whom conſiſted of men of no fortune, or reputation, reſolv'd to Petition both Houſes "Not to alter the original conſtitution, and right of their "City: and, to that purpoſe, a Petition was ſigned by ſome hundreds, and very probably would in few days have been ſubſcribed by all, or moſt of the ſubſtantial Citizens of *London*. The Houſe had notice of this Petition, which they called another Conſpiracy and Plot againſt the Parliament, and immediately imployed a Member of their own to procure a ſight of it; who, under a truſt of redelivering it, got it into his hands, and brought it to the Houſe of Commons; upon which, ſome principal Citizens, who had ſubſcribed it, were examined, and committed to Priſon; and a direction given, that a Charge, and Impeachment ſhould be prepared againſt the Recorder of *London*, who, they heard, had been of Council in the drawing up, and preparing that Petition, and they knew, was oppoſite to their Tumultuary proceedings. So when the chief Gentlemen of *Oxford-ſhire* heard, that a Petition had been delivered to the Houſe of Commons in their Name, and the name of that County, againſt the eſtabliſhed Government of the Church, and for the exerciſe of the Militia, they aſſembled together to draw up a Petition diſavowing the former, and to deſire, "That the ſettled Laws might be ob-"ſerved; of which the Lord *Say* having notice, he procured the chief Gentlemen to be ſent for as Delinquents, and ſo ſuppreſſed that Addreſs: And this was the meaſure of their Juſtice in many other particulars of the ſame nature, receiving and cheriſhing all mutinous, and ſeditious Petitions, and diſcountenancing ſuch as beſought the continuance, and vindication, of the ſo long celebrated and happy Government in Church and State; the prime leaders of that Faction not bluſhing, in publick Debates in the Houſe, to aver "That "no man ought to Petition for the Government eſtabliſh-"ed by Law, becauſe he had already his Wiſh; but they "that deſired an Alteration, could not otherwiſe have

"their desires known, and therefore were to be counte-
"nanced.

They likewise present the King with Reasons for his continuance near the Parliament.

THE Committee, which presented the Declaration to the King at *New-Market*, presented likewise additional Reasons, as they called them, for his Majesty's return, and continuance near the Parliament; as a matter, in their apprehension, of so great necessity, and importance towards the preservation of his Person, and his Kingdom: and they said,

"THEY could not think they discharged their duties in "the single expression of their desire, unless they added some "further reasons to back it with. 1. His Majesty's absence "would cause men to believe, that it was out of design to "discourage the undertakers, and hinder the other provisions "for raising money for defence of *Ireland*. 2. It would very "much hearten the Rebels There, and disaffected Persons in "This Kingdom, as being an evidence, and effect of the Jea-"lousy and Division between his Majesty, and his people. "3. That it would much weaken, and withdraw the Affe-"ction of the Subject from his Majesty; without which, a "Prince is deprived of his chiefest strength, and lustre, and "left naked to the greatest dangers and miseries, that can be "imagined. 4. That it would invite, and incourage the Ene-"mies of our Religion and the State in forreign parts, to the "attempting, and acting of their evil designs, and intentions "towards us. That it did cause a great interruption in the "proceedings of Parliament. Those considerations, they said, "threaten'd so great dangers to his Person, and to all his Do-"minions, that, as his Great Council, they held it necessary "to represent to him this their faithful Advice, that so, what-"soever should follow, They might be excused before God, "and Man.

WHILST that Declaration was reading, his Majesty expressed some passion upon particular expressions; and once, when that passage was read, that takes notice "Of the transpor-"tation of Mr *Jermyn* by his Majesty's own Warrant, after "he had given his word, that he had commanded that none "of his Servants should depart from Court, interrupted the Earl of *Holland*, who read it, and said, "That's False; and when he was told, "It related not to the Date, but the Exe-"cution of the Warrant, his Majesty said, "It might have "been better expressed then: It is an high thing to tax a King "with breach of Promise. But after both the Declaration, and Reasons were read, the King, after a short pause, said to them,

His Majesty's Answer to both.

"I AM confident that you expect not I should give you a "speedy Answer to this strange, and unexpected Declara-"tion; and I am sorry, in the distraction of this Kingdom,

"you

"you ſhould think This way of Addreſs to be more conve-
"nient, than That propounded, by my Meſſage of the twen-
"tieth of *January* laſt, to both Houſes. As concerning the
"grounds of your Fears and Jealouſies, I will take time to
"Anſwer them particularly; and doubt not but I ſhall do it to
"the ſatisfaction of all the world. God in His good time will,
"I hope, diſcover the ſecrets and bottoms of all Plots, and
"Treaſons; and then I ſhall ſtand right in the eyes of all my
"People. In the mean time I muſt tell you, that I rather ex-
"pected a vindication for the imputation laid upon me in
"Mr *Pym*'s Speech, than that any More General rumors, and
"diſcourſes, ſhould get credit with you. For My fears and
"Doubts, I did not think they ſhould have been thought ſo
"trivial and groundleſs, whilſt ſo many ſeditious Pamphlets,
"and Sermons, are looked upon, and ſo great Tumults re-
"member'd, unpuniſh'd and uninquired into. I ſtill confeſs
"my Fears, and call God to witneſs, that they are greater for
"the true Proteſtant profeſſion, my People and Laws, than
"for my own rights or ſafety; though I muſt tell you, I con-
"ceive none of theſe are free from danger. What would you
"have? Have I violated your Laws? Have I denied to paſs
"any one Bill for the eaſe, and ſecurity of my Subjects? I
"do not ask you what You have done for me. Are my Peo-
"ple tranſported with Fears and Apprehenſions? I have of-
"fer'd as free, and general a Pardon as your ſelves can de-
"viſe. There is a Judgment from Heaven upon this Nation,
"if theſe diſtractions continue. God ſo deal with Me, and
"Mine, as all my thoughts, and intentions, are upright for
"the maintenance of the true Proteſtant profeſſion, and for
"the obſervation and preſervation of the Laws of the Land:
"and I hope God will bleſs, and aſſiſt thoſe Laws for my pre-
"ſervation.

THIS being ſuddainly, and with ſome vehemence, ſpoken by his Majeſty, and he having taken further time to Anſwer the Declaration, and the Reaſons, the Committee beſought him, "Since they were to carry back with them no other An-
"ſwer, that his Majeſty would vouchſafe to give them what
"he had ſpoken, in writing; which, the next morning, he did: And then the Earl of *Holland* again deſired him, "That
"he would reſide nearer his Parliament; whereunto the King briefly Anſwered, "I would you had given me cauſe; but I
"am ſure this Declaration is not the way to it. Then being asked by the Earl of *Pembroke*, whether the Militia might not be granted, as was deſired by the Parliament, for a time? He Anſwered, "By God, not for an hour. You have asked that
"of me in this, was never asked of a King, and with which
"I will not truſt my Wife, and Children. He told them,

"he could not have believed the Parliament would have ſent "him ſuch a Declaration, if he had not ſeen it brought by "ſuch Perſons: and ſaid he was ſorry for the Parliament, but "Glad he had it; for by that he doubted not to ſatisfy his "People. He ſaid they ſpoke of ill Councils; but he was con- "fident They had worſe Information, than he had Councils. "He told them, the buſineſs of *Ireland* would never be done "in the way they were in, four hundred would never do that "work; it muſt be put into the hands of One: and, he ſaid, "if He were truſted with it, he would pawn his Head to end "that work.

ASSOON as the Committee returned and reported, what Anſwer they had received, and in what diſpoſition and temper they found, and left the King; it was Order'd, that their Declaration, which they had ſent to him, ſhould be ſpeedily printed, and carefully diſperſed throughout the Kingdom, that the People might ſee upon what terms they ſtood; and all other poſſible courſes were taken to poyſon the hearts, and affections of the Subjects, and to ſuppreſs all thoſe, who, in any degree, ſeemed to diſlike their high proceedings. Above all, care was taken to place ſuch Preachers, and Lecturers, in the moſt populous Towns and Pariſhes, as were well known to Abhor the preſent Government, and temperature of Church and State; many of whom were recommended, and poſitively injoyned, and impoſed upon Pariſhes, by the Houſe of Commons; and others, by ſuch Factious Members, whoſe reputation was moſt current: and all Canonical Clergy-men, and Orthodox Divines, were, with equal induſtry, diſcountenanced, impriſoned, or forced to a long attendance upon Committees, or the Houſe (which was worſe than Impriſonment) under the notion and imputation of Scandalous Miniſters. Which charge and reproach reached all men whoſe Inclinations they liked not, or whoſe Opinions they ſuſpected. And that they might be ſure to be as ſtrong and abſolute at Sea, as at Land, they appointed the Lord Admiral to ſend the Names of all thoſe Captains of Ships, who were to attend the Fleet for that Summer Service, to them, to the end they might have ſuch men, in whom they might Confide; which his Lordſhip moſt punctually obſerved. By which they helped to free him of thoſe Officers whom he could not plauſibly have diſcharged; and ſtruck out the names of thoſe, whoſe Affections, or Relations they thought themſelves not ſecure in.

The King's Meſſage to both Houſes in his way to York.

THE King thought it now time, according to his former reſolution, which he had not communicated to many, to remove to *York*, which was a place of good reception, and conveniency, for thoſe who were willing to attend him; and to the end

end that there might be publick notice of it, he ſent from *Huntington*, when he was upon his Journey, a Meſſage to both Houſes, "That being then in his remove to his City of "*York*, where he intended to make his Reſidence for ſome "time, he thought fit to ſend that Meſſage to them, and very "earneſtly to deſire them, that they would uſe all poſſible in- "duſtry in expediting the buſineſs of *Ireland*; in which they "ſhould find ſo chearful a concurrence from his Majeſty, that "no inconvenience ſhould happen to that Service by his ab- "ſence, he having all that paſſion for the reducing that King- "dom, which he had expreſſed in his former Meſſages, and "being, by words, unable to manifeſt more affection to it, "than he had endeavour'd to do by thoſe Meſſages: having "likewiſe done all ſuch Acts, as he had been moved unto by "his Parliament. Therefore, if the Misfortunes and Calami- "ties of his poor Proteſtant Subjects there ſhould grow upon "them (though he ſhould be deeply concern'd in, and ſen- "ſible of their ſufferings) he ſaid, he ſhould waſh his hands "before the World from the leaſt imputation of ſlackneſs in "that moſt neceſſary, and pious work.

"And, that he might leave no way unattempted, which "might beget a good underſtanding between him and his "Parliament, he ſaid, he thought it neceſſary to declare, that, "as He had been ſo tender of the Privileges of Parliament, "that he had been ready and forward to retract any Act of "his own, which he had been informed had trenched upon "their Privileges; ſo he expected an equal tenderneſs in "them of his known Prerogatives, which are the unqueſtion- "able Privileges of the Kingdom; amongſt which, he was "aſſured, it was a Fundamental one, that his Subjects could "not be obliged to obey any Act, Order, or Injunction, to "which he had not given his Conſent.

And, therefore, he thought it neceſſary to publiſh, that "he expected, and thereby required, Obedience from all his "loving Subjects to the Laws eſtabliſhed; and that they "preſumed not upon any pretence of Order, or Ordinance, "to which his Majeſty was no Party, concerning the Militia, "or any other thing, to do, or execute what was not war- "rantable by thoſe Laws; he being reſolved to keep the "Laws himſelf, and to require Obedience to them from all "his Subjects.

"He once more recommended unto them the ſubſtance of "his Meſſage of the twentieth of *January* laſt; that they would "compoſe, and digeſt with all ſpeed, ſuch Acts as they ſhould "think fit for the preſent, and future eſtabliſhment of their "Privileges, the free and quiet enjoying their Eſtates and For- "tunes, the liberties of their Perſons, the ſecurity of the true

"Religion then professed in the Church of *England*, the "maintaining his Regal and Just Authority, and settling his "Revenue; he being most desirous to take all fitting and just "ways, which might beget a happy understanding between "him and his Parliament, in which he conceived his greatest "Power, and Riches did consist.

Both Houses Votes concerning the Militia.

I HAVE not known both Houses in more choler and rage than upon the receiving this Message, which came early to them on *Wednesday* the sixteenth of *March*. Now the day before had been spent in preparing all things ready for the execution of the Ordinance of the Militia; They had Voted, and Resolved, "that it was not any way against the Oath of "Allegiance, that all the Commissions to Lieutenants under "the great Seal were illegal, and void; and that whosoever "should execute any Power over the Militia by colour of any "Commission of Lieutenancy, without consent of both Houses "of Parliament, should be accounted a disturber of the Peace "of the Kingdom. Then they agreed upon this Proposition, "That the Kingdom had been of late, and still was, "in so evident and imminent danger, both from Enemies "abroad, and a Popish and discontented Party at home, that "there was an urgent, and inevitable necessity of putting his "Majesty's Subjects into a posture of defence, for the safe-"guard both of the King, and his People; and that the Lords "and Commons, apprehending that danger, and being sen-"sible of their own duty to provide a suitable prevention, "had, in several Petitions, addressed themselves to his Ma-"jesty for the ordering and disposing the Militia of the "Kingdom in such a way, as was agreed upon, by the Wis-"dom of both Houses, to be most proper for the present exi-"gence of the Kingdom: Yet they could not obtain it; but "his Majesty did several times refuse to give his Royal As-"sent thereunto. Upon this Proposition, they Resolved, "that in that case of extreme danger, and of his Majesty's re-"fusal, the Ordinance agreed on by both Houses for the Mi-"litia did oblige the People, and ought to be obeyed, by the "Fundamental Laws of the Kingdom; and that such Persons "as should be nominated Deputy Lieutenants, and approved "of by both Houses, should receive the Commands of both "Houses, to take upon them to execute their Offices. All which Resolutions were ordered, the same night, to be Print-ed and Published. So that, when the King's Message from *Huntington* was read the next morning, and seemed to be against their Votes of the day before, they concluded, "That "it could not be sent from the King, but that it had been in-"serted in blanks left in the Town for such purposes; and immediately made a Committee, "To find out by whom

"that

"that Message was framed. But when they remember'd, that they had Voted as much a week before, and had examined the Gentlemen who brought it, and had receiv'd it from the King's own hand, they proceeded no further in that inquisition; but satisfied themselves with a new Vote, "That those "Persons, who advised his Majesty to absent himself from "the Parliament, and those that advised him to that Message, "were Enemies to the Peace of the Kingdom, and justly to "be suspected to be favourers of the Rebellion in *Ireland*. And for the matter it self they resolv'd to insist upon their former Votes; and withal declared, "That when the Lords "and Commons in Parliament, which is the supreme Court "of Judicature in the Kingdom, should declare what the Law "of the Land is, to have that not only questioned, and con-"troverted, but contradicted, and a Command that it should "not be obeyed, was a high breach of the Privilege of Par-"liament.

And this likewise they caused to be speedily Printed; lest the King should be able to perswade the Subjects, that an Order of theirs, without His consent, was no Law to compel their Obedience. And from this last Resolution, by which the Law of the Land, and consequently the Liberty of the Subject, was resolved into a Vote of the two Houses, which passed without any dispute or hesitation, all Sober Men discerned the fatal period of both, and saw a Foundation laid for all the Anarchy and Confusion, that hath followed.

Their Order concerning Hull.

It was now known, that the King was gone to *York*, which made them apprehend their Principality of *Hull* might be in danger; and therefore they immediately Resolve, "That no "Forces whatsoever shall be admitted in that Town, without "the immediate consent of both Houses: which Order was "sent thither by an Express. And having prepared the People to be ready for the Militia, by publishing "That, in case "of extreme danger, they were to obey that Ordinance; "they were, in the next place, to find the danger to be ex-"treme; and, to that purpose, they produced Letters without any name, pretended to be written from *Amsterdam*, signifying "That they had intelligence there, that there was an "Army ready in *Denmark* to be Transported into *England*, "and was to be Landed at *Hull*; which, they said, had been "confirmed to them, by a Person of Reputation, from *New-*"*Market*, who confirmed the intelligence of *Denmark*: and "added, that there were likewise Forces ready in *France* to "be Landed at *Hull*.

Of this, how gross and ridiculous soever it appeared to Wise Men, they made a double use (besides the general impression in the People) the one to colour and countenance their

Orders to their Governour there; the other, to make the King's Residence in those parts suspected and grievous, as if he came thither only to bring in Forreign Forces upon them. With these Alarms of Forreign Forces, they mingled other Intelligence of the Papists in *England*, "That they had a purpose "of making an Insurrection; and therefore they proceeded in preparing a Bill to secure the Persons of those of the best Quality, and greatest Interest, and injoyning the Oath of Supremacy to be taken with great rigour; and, amongst other stratagems they had to humble the Papists, I remember, upon an information that they used their Protestants Tenants worse in the raising their Rents, than they did those of their own Religion, there was an Order, "That they should not raise the "Rents of their Tenants, above the rates that the Protestant "Landlords adjoyning receiv'd from their Tenants: by virtue of which, in some places, they undertook to determine what Rents their Tenants should pay to them. But, in this zeal against the Papists, they could not endure that the King should have any share; and therefore, when they found, that his Majesty had published a Proclamation in his Journey towards *York*, "Commanding all the Judges, and Justices of Peace, "and other Officers, to put in due execution all the Laws, and "Statutes of the Kingdom, against Popish Recusants, without "favour or connivance, they presently sent for the Sheriffs of *London* to the House of Commons, and examined them, "Why "seven Priests, who were in *Newgate*, and had been long "Condemned, were not executed? the reason whereof they well knew; and when the Sheriffs said, "That they had re-"ceived a Reprieve for them under the King's hand, they published that with great care in their Prints to take off the Credit of the new Proclamation; and appointed their Messengers, whom they were then sending to the King with a new Declaration, to move his Majesty, "That he would take off "his Reprieve, and suffer those seven Condemn'd Priests to be "Executed, according to the Judgments they had received.

THEY proceeded now to provide all necessary means for the raising great sums of Money, by the diligent collection of what was granted by former Acts, and by a new Bill for the raising of four hundred thousand pounds, for the payment of the great Debts of the Kingdom (by which they meant the remainder of the three hundred thousand pounds, they had bountifully given to their Brethren of *Scotland*) and the support of the War of *Ireland*: all which Monies were to be received, and disposed as the two Houses should direct; of which though the King saw the danger, that might, and did after ensue thereupon, yet he thought that probable inconvenience and mischief to be less, than that, which the scandal of denying

ing any thing, upon which the recovery of *Ireland* seem'd to depend, would inevitably bring upon him; and so ratified whatsoever they brought to him of that kind.

AMONGST other Expedients for raising of Money for the War of *Ireland*, about this time, they made certain Propositions to incourage Men to be Adventurers in that Traffick, Thus: They concluded "That, in so general a Rebellion, very much Land must Escheat to the Crown by the forfeiture "of Treason, and that, out of such forfeitures, satisfaction "might be given to those, who should disburse Money to- "wards the suppression of the Rebels; so many Acres of Land "to be allowed for so much Money, according to the value of "the Lands in the several Provinces, which was specified in "the Propositions; which, having passed both Houses, were presented to the King, who (it being about the beginning of *February*, when the breach of their Privileges rung in all Mens Ears) Answered, "That as he had offer'd, and was still ready "to venture, his own Person for the recovery of that King- "dom, if his Parliament should advise him thereunto; so he "would not deny to contribute any other assistance he could "to that Service, by parting with any profit or advantage of "his own there; and therefore, relying upon the Wisdom of "his Parliament, he did consent to every Proposition, now "made to him, without taking time to consider, and exa- "mine, whether that course might not retard the reducing "that Kingdom, by exasperating the Rebels, and rendering "them desperate of being receiv'd into Grace, if they should "return to their Obedience. And, he said, he would be ready "to give his Royal Assent to such Bills, as should be tender'd "to him by his Parliament for the confirmation of those Pro- "positions.

They make Propositions for Adventurers in Ireland.

The King consents to them.

WHICH Answer, together with their Propositions, they caused forthwith to be Printed; made their Committees, in all places, to sollicite Subscriptions, and to receive the Monies, the Principal and most active Persons Subscribing first, for the example of others; and delayed the framing, and presenting the Bill to the King, till they had received great sums of Money, and procured very many Persons of all Conditions to Subscribe, many coming in out of pure Covetousness to raise great Fortunes; five hundred Acres of Land being assign'd for one hundred pound in some Counties, and not much under that proportion in others: some out of pure fear, and to win Credit with the Powerful Party, which made this new project a measure of Mens Affections, and a tryal how far they might be trusted, and rely'd on.

THEN they sent those Propositions digested into a Bill to the King, with such Clauses of Power to them, and Diminu-

tion

tion of his own, that upon the matter, he put the making a Peace with the Rebels there out of his Power, though upon the most advantageous terms; which he was likewise necessitated to pass.

The King passes a Bill to that purpose.

BUT notwithstanding all these preparations on this side the Sea, the relief, and provision was very slowly supplied to the other side; where the Rebels still increased in strength, and by the fame of these Propositions, inlarged their Power, very many Persons of Honour, and Fortune, who till then had sate still, and either were, or seem'd to be averse to the Rebellion, joyning with them, as being desperate, and conceiving the utter suppressing their Religion, and the very extirpation of their Nation, to be decreed against them. And without doubt, the great Reformers here were willing enough to drive them to any extremity, both out of revenge and contempt, as a People easy to be rooted out, and that the War might be kept up still; since they feared an Union in that Kingdom might much prejudice their designs in this, both as it might supply the King with Power, and take away much of theirs; whereas now they had opportunity, with reference to *Ireland*, to raise both Men and Money, which they might be able to imploy upon more pressing occasions, as they will be found afterwards to have done. Neither was it out of their expectation and view, that, by the King's consenting to that severe Decree, he might very probably discourage his Catholick Subjects, in his other Dominions, from any extraordinary Acts of duty, and affection: at least, that it would render him less considered by most Catholick Princes. And they knew well what use to make of any Dominution of his Interest, or Reputation. These matters thus settled, for the ease of the two Houses, who were now like to have much to do, they appointed the whole business of *Ireland* to be managed by Commission under the great Seal of *England*, by four Lords, and eight Commoners, whom they recommended to the King, and who were always to receive instructions from Themselves. And in this state, and disposition, were the Affairs of *Ireland*, when the King went to *York*, where let us now resort to him.

THE END OF THE FOURTH BOOK.

THE
Hiſtory of the Rebellion, &c.
BOOK IV.

Iſai. III. 12.

As for my People, Children are their Oppreſſours, and Women rule over them: O my People, they which lead thee, cauſe thee to err, and deſtroy the way of thy paths.

ASSOON as the King came to *York*, which was about the end of the Year 1641, and found his Reception there to be equal to his expectation, the Gentry, and Men of Ability of that great and Populous County (ſome very few excepted) expreſſing great alacrity for his Majeſty's being with them, and no leſs ſenſe of the inſolent proceedings of the Parliament; thereupon, he reſolv'd to treat with the two Houſes in another manner than he had done, and to let them clearly know, "That as he would deny them "nothing that was fit for Them to ask, ſo he would yield to no- "thing that was unreaſonable for Him to grant; and that he "would have nothing extorted from him, that he was not very "well inclined to conſent to. So, within few days after his coming thither, he ſent them a Declaration (which he cauſed to be Printed, and, in the Frontiſpiece, recommended to the conſideration of all his loving Subjects) in Anſwer to that preſented to him at *New-Market* ſome days before: He told them,

His Majeſty's Declaration from York, March 9. 1641.

"THAT, though that Declaration, preſented to him at "*New-Market* from both Houſes of Parliament, was of ſo "ſtrange a Nature, in reſpect of what he expected (after ſo many "Acts of Grace and Favour to his People) and ſome expreſ- "ſions in it ſo different from the uſual Language to Princes, "that he might well take a very long time to conſider it; "yet the clearneſs and uprightneſs of his Conſcience to God,

"and

"and love to his Subjects, had supplied him with a speedy "Answer; and his unalterable affection to his People pre- "vailed with him to suppress that passion, which might well "enough become him upon such invitation. He said, he "had reconsider'd his Answer of the first of that Month at "*Theobalds*, which was urg'd to have given just cause of sor- "row to his Subjects; but, he said, whoever looked over "that Message (which was in effect to tell him, that if he "would not joyn with them in an Act, which he conceiv'd "might prove prejudicial and dangerous to him, and the "whole Kingdom, they would make a Law without him, and "impose it upon his People) would not think that suddain "Answer could be excepted to. He said, he had little in- "couragement to replies of that Nature, when he was told "of how little value his words were like to be with them, "though they came accompanied with all the Actions of "Love, and Justice (where there was room for Actions to "accompany them) yet he could not but disavow the having "any such evil Counsel, or Counsellors about him, to his "knowledge, as were mention'd by them; and if any such "should be discover'd, he would leave them to the Censure, "and Judgment of his Parliament. In the mean time he "could wish, that his own immediate Actions, which he did "avow, and his own Honour, might not be so roughly censured "and wounded, under that common stile of evil Counsellors. "For his faithful and zealous Affection to the true Protestant "profession, and his Resolution to concur with his Parliament "in any possible course for the propagation of it, and the sup- "pression of Popery, He said he could say no more than he "had already expressed in his Declaration to all his loving "Subjects published in *January* last, by the advice of his "Privy Council; in which he endeavour'd to make as lively "a Confession of himself in that point, as he was able, being "most assured, that the constant practice of his Life had been "answerable thereunto: And therefore, he did rather expect "a Testimony, and acknowledgment of such his Zeal and "Piety, than those expressions he met with in that Declara- "tion of any design of altering Religion in this Kingdom. "And he said, he did, out of the innocency of his Soul, wish, "that the judgments of Heaven might be manifested upon "those, who have, or had, any such design.

"As for the *Scots* Troubles, He told them, he had thought, "that those unhappy differences had been wrapped up in per- "petual silence by the Act of Oblivion; which, being so- "lemnly passed in the Parliaments of both Kingdoms, stopped "his own Mouth from any other Reply, than to shew his "great dislike for reviving the Memory thereof. He said, if

"the

"the Rebellion in *Ireland*, ſo odious to all Chriſtians, ſeem'd "to have been framed, and maintained in *England*, or to "have any Countenance from hence, he conjured both his "Houſes of Parliament, and all his loving Subjects whatſo-"ever, to uſe all poſſible means to diſcover, and find ſuch "out, that he might joyn in the moſt exemplary Vengeance "upon them, that could be imagined. But, he told them, "he muſt think himſelf highly, and cauſeleſly injured in his "Reputation, if any Declaration, Action, or Expreſſion of "the *Iriſh* Rebels; and Letters from the Count *Rozetti* to "the Papiſts, for Faſting and Praying; or from *Triſtram* "*Whetcomb*, of ſtrange Speeches uttered in *Ireland*, ſhould be-"get any Jealouſy, or Miſapprehenſion in his Subjects of his "Juſtice, Piety, and Affection: it being evident to all under-"ſtandings, that thoſe miſchievous and wicked Rebels, are "not ſo capable of great advantage, as by having their falſe "diſcourſes ſo far believ'd, as to raiſe Fears and Jealouſies to "the diſtraction of this Kingdom; the only way to their Se-"curity. He ſaid, he could not expreſs a deeper ſenſe of the "ſufferings of his poor Proteſtant Subjects in that Kingdom, "than he had done in his often Meſſages to both Houſes; by "which he had offer'd, and was ſtill ready, to venture his "Royal Perſon for their redemption, well knowing that as "he was, in his own Intereſts, more concern'd in them; ſo "he was to make a ſtrict Account to Almighty God for any "neglect of his Duty, or their Preſervation.

"For the manifold Attempts to provoke his late Army, "and the Army of the *Scots*, and to raiſe a Faction in the "City of *London*, and other parts of the Kingdom, if it were "ſaid as relating to Him, he could not without great Indigna-"tion, ſuffer himſelf to be reproach'd to have intended the "leaſt force, or threatning to his Parliament; as the being "Privy to the bringing up the Army would imply. Whereas, "he called God to Witneſs, he never had any ſuch thought, "nor knew of any ſuch Reſolution concerning his late Army. "For the Petition ſhewed to him by Captain *Leg*, he ſaid, "he well remember'd the ſame, and the occaſion of that Con-"ference. Captain *Leg* being lately come out of the North, "and repairing to him at *White-Hall*, his Majeſty asked him "of the ſtate of his Army; and, after ſome relation of it, he "told his Majeſty, that the Commanders and Officers of the "Army, had a mind to Petition the Parliament, as others of "his People had done, and ſhewed him the Copy of a Peti-"tion; which he read, and finding it to be very humble, de-"ſiring the Parliament might receive no interruption in the "Reformation of Church, and State, to the Model of Queen "*Elizabeth*'s days, his Majeſty told him, that he ſaw no harm

"in

"in it; whereupon Captain *Leg* replied, that he believ'd all "the Officers of the Army would like it, only, he thought, "Sr *Jacob Astley* would be unwilling to sign it, out of fear that "it would displease him. His Majesty then read the Petition "over again; and observing nothing in Matter or Form he "conceiv'd could possibly give just cause of Offence, he deli- "vered it to him again, bidding him give it to Sr *Jacob Astley*, "for whose satisfaction he writ *C. R.* upon it, to testify his "Approbation; and he wished that the Petition might be "seen and published, and then he believ'd it would appear "no dangerous one, nor a just ground for the least Jealousy, "or Misapprehension.

"For Mr *Jermyn*, he said, it was well known that he was "gone from *White-Hall*, before he receiv'd the desire of both "Houses for the restraint of his Servants; neither returned "he thither, or passed over by any Warrant granted by him "after that time. For the breach of Privilege in the Accu- "sation of the Lord *Kimbolton*, and the five Members of the "House of Commons, he told them, he thought, he had "given so ample satisfaction in his several Messages to that "purpose, that it should have been no more pressed against "him; being confident, if the breach of Privilege had been "greater than ever had been before offer'd, his acknowledge- "ment and retraction had been greater than ever King had "given: besides the not Examining how many of His Privi- "leges had been invaded in defence and vindication of the "other. And therefore, he hoped his true, and earnest pro- "testation in his Answer to their Order concerning the Mi- "litia, would so far have satisfied them of his Intentions then, "that they would no more have entertained any Imagination "of any other design, than he there expressed. But why the "listing so many Officers, and entertaining them at *White- "Hall*, should be misconstrued, he said, he much Marvelled, "when it was notoriously known the Tumults at *Westminster* "were so great, and their demeanour so scandalous and sedi- "tious, that he had good cause to suppose his own Person, "and those of his Wife and Children, to be in apparent dan- "ger; and therefore he had great reason to appoint a guard "about him, and to accept the dutiful tender of the Services of "any of his loving Subjects, which was all he did to the Gen- "tlemen of the Inns of Court.

"For the Lord *Digby*, he assured them in the Word of a "King, that he had his Warrant to pass the Seas, and had "left his Court, before ever he heard of the Vote of the "House of Commons, or had any cause to imagine that his "absence would have been excepted against. What their Ad- "vertisements were from *Rome*, *Venice*, *Paris*, and other parts,

"or

"or what the Pope's Nuntio ſollicites the Kings of *France* and "*Spain*, to do; or from what Perſons ſuch informations come "to them, or how the Credit and Reputation of ſuch Per- "ſons had been ſifted and examined, he ſaid, he knew not; "but was confident no Sober Honeſt Man in his Kingdoms "could believe, that he was ſo deſperate, or ſo ſenſeleſs, to "entertain ſuch deſigns, as would not only bury this his "Kingdom in ſuddain diſtraction and ruine, but his own Name "and Poſterity in perpetual Scorn, and Infamy. And there- "fore, he ſaid, he could have wiſhed in matters of ſo high "and tender a Nature, wherewith the minds of his good "Subjects muſt needs be ſtartled, all the expreſſions had been "ſo plain and eaſy, that nothing might ſtick with them that "reflected upon his Majeſty; ſince they thought fit to publiſh "it at all.

"And having now dealt thus plainly and freely with "them, by way of Anſwer to the particular grounds of their "Fears, he ſaid, he hoped, upon a due conſideration and "weighing of both together, they would not find the grounds "to be of that moment to beget, or longer to continue, a "miſunderſtanding between them; or force them to apply "themſelves to the uſe of any other power, than what the "Law had given them: the which he always intended ſhould "be the meaſure of his own Power, and expected it ſhould "be the rule of his Subjects Obedience.

"Concerning his own Fears and Jealouſies, as he had "no Intention of accuſing them, ſo he ſaid, he was ſure no "words ſpoken by him on the ſuddain at *Theobalds* would "bear that Interpretation. He had ſaid, for his Reſidence "near them, he wiſhed it might be ſo ſafe and honourable, "that he had no cauſe to abſent himſelf from *White-Hall*, "and how that could be a breach of Privilege of Parliament "he could not underſtand. He ſaid, he had explained his "meaning in his Anſwer at *New-Market*, at the preſentation "of that Declaration, concerning the printed ſeditious Pam- "phlets, and Sermons, and the great Tumults at *Weſtminſter*: "And he ſaid, he muſt appeal to them, and all the World, "whether he might not juſtly ſuppoſe himſelf in danger of "either. And if he were now at *White-Hall*, he asked them, "what ſecurity he had, that the like ſhould not be Again? "eſpecially if any Delinquents of that Nature had been ap- "prehended by the Miniſters of Juſtice, and had been re- "ſcued by the people, and ſo as yet had eſcaped Unpuniſhed. "He told them, if they had not yet been informed of the ſe- "ditious words uſed in, and the circumſtances of thoſe Tu- "mults, and would appoint ſome way for the examination of "them, he would require ſome of his learned Council to at-

"tend

"tend with such Evidence as might satisfy them; and till that "were done, or some other course should be taken for his "security, he said, they could not with reason, wonder, that "he intended not to be, where he most desired to be.

"He asked them, whether there could Yet want evidence "of his hearty and importunate desire to joyn with his Par- "liament, and all his faithful Subjects, in defence of the Re- "ligion, and publick good of the Kingdom? Whether he "had given them no other earnest but Words, to secure them "of those desires? He told them the very Remonstrance of "the House of Commons (published in *November* last) of the "State of the Kingdom allowed him a more Real Testimony "of his good Affections, than Words; that Remonstrance "valued his Acts of Grace and Justice at so high a rate, that "it declared the Kingdom to be then a Gainer, though it "had charged it self by Bills of Subsidies and Poll-money, "with the levy of six hundred thousand pounds, besides the "contracting a debt of two hundred and twenty thousand "pounds more to his Subjects of *Scotland*. He asked them, "whether the Bills for the Triennial Parliament, for relin- "quishing his Title of imposing upon Merchandize, and power "of pressing of Soldiers, for the taking away the Star-Cham- "ber, and High-Commission Courts, for the regulating the "Council Table, were but Words? Whether the Bills for the "Forrests, the Stannery Courts, the Clarke of the Market, "and the taking away the Votes of Bishops out of the Lords "House, were but Words? Lastly, what greater earnest of "his Trust, and Relyance on his Parliament could he give, "than the Passing the Bill for the continuance of this Pre- "sent Parliament? The length of which, he said, he hoped, "would never alter the Nature of Parliaments, and the Con- "stitution of this Kingdom; or invite his Subjects so much "to abuse his Confidence, as to esteem any thing fit for this "Parliament to do, which were not fit, if it were in his power "to Dissolve it to Morrow. And after all these, and many "other Acts of Grace on his part, that he might be sure of a "perfect reconciliation between him and all his Subjects, he "had offer'd, and was still ready to grant, a free and general "Pardon, as ample as themselves should think fit. Now if "those were not real Expressions of the Affections of his soul "for the Publick good of this Kingdom, he said, he must con- "fess that he wanted skill to manifest them.

"To conclude, although he thought his Answer already "full to that point concerning his return to *London*, he told "them, that he was willing to declare, that he looked upon "it as a matter of so great weight, as with reference to the "Affairs of this Kingdom, and to his own inclinations and

"desires

"desires, that if all he could Say, or Do, could raise a mutual "Confidence (the only way, with Gods blessing, to make "them all happy) and, by their incouragement, the Laws of "the Land, and the Government of the City of *London*, "might recover some life for his Security; he would over-"take their desires, and be assoon with them, as they could "wish. And in the mean time, he would be sure that nei-"ther the business of *Ireland*, nor any other advantage for "This Kingdom should suffer through His default, or by his "Absence; he being so far from repenting the Acts of his "Justice and Grace, which he had already performed to his "People, that, he said, he should, with the same alacrity, be "still ready to add such New ones, as might best advance the "Peace, Honour, and Prosperity of this Nation.

THEY who now read this Declaration, and remember only the insolent and undutiful Expressions in that Declaration, to which this was an Answer, and the more insolent and seditious Actions which preceded, accompanied, and attended it, may think that the style was not answerable to the Provocation, nor Princely enough for such a Contest; and may believe, that if his Majesty had then expressed himself with more Indignation for what he had suffer'd, and more Resolution, "That he would no more endure those Sufferings, they who were not yet grown to the hardiness of Avowing the contempt of the King (and most of them having designs to be great With, and by Him, whom they provoked) would sooner have been checked, and recovered their Loyalty and Obedience. But they again who consider and remember that juncture of time, the incredible disadvantage his Majesty suffer'd by the misunderstanding of his going to the House of Commons, and by the Popular mistake of Privilege of Parliament, and consequently of the breach of those Privileges: And, on the contrary, the great height and reputation the Factious Party had arrived to, the stratagems they used, and the infusions they made into the People, "Of the King's dis-"inclination to the Laws of the Land; and especially, "That "he had consented to all those excellent Laws made this Par-"liament (of which the People were possessed) very unwil-"lingly, and meant to avoid them: That the Queen had an "irreconcileable Hatred to the Religion professed, and to the "whole Nation, and that her Power was unquestionable: That "there was a design to send the Prince beyond the Seas, and to "marry him to some Papist: Above all (which the principal "of them, with wonderful Confidence, in all places avowed to be true) "That the Rebellion in *Ireland* was fomented, and "countenanced at least, by the Queen, that good terms might "be got for the Catholicks in *England*: I say, whoever re-

members all this, and, that though it might be presumed, that the exorbitancy of the Parliament might be very offensive to some Sober and discerning Men, yet his Majesty had no reason to presume of their eminent and vehement Zeal on his behalf, since he saw all those (some few only excepted) from whom he might challenge the duty, and faith of Servants *usque ad aras*, and for whose sake he had undergone many difficulties, either totally aliened from his service, and ingaged against Him, or, like Men in a Trance, unapplicable to it: He will, I say, conclude that it concern'd his Majesty, by all gentleness and condescension, to undeceive, and recover Men to their sobriety and understanding, before he could hope to make them apprehensive of their own duty, or the reverence that was due to him; and therefore, that he was to descend to all possible Arts, and Means to that purpose, it being very evident, that Men would no sooner discern his Princely Justice and Clemency, than they must be sensible of the Indignities which were offer'd to him; and incensed against those who were the Authors of them.

AND the truth is (which I speak knowingly) at that time, the King's Resolution was to Shelter himself wholly under the Law; to grant any thing, that by the Law he was obliged to grant; and to deny, what by the Law was in his own power, and which he found inconvenient to consent to; and to oppose and punish any extravagant attempt by the force and power of the Law, presuming that the King and the Law together would have been strong enough for any encounter that could happen; and that the Law was so sensible a thing, that the People would easily perceive who endeavoured to Preserve, and who to Suppress it, and dispose themselves accordingly.

THE day before this Answer of his Majesty came to the Members then Sitting at *Westminster*, though they knew they should speedily receive it, lest somewhat in it might Answer, and so prevent some other scandals they had a Mind to lay to his Majesty's Charge, they sent a Petition to him, in the Name of the Lords and Commons, upon occasion of the short cursory Speech he made to their Committee (which is before mentioned) at the delivery of their Declaration at *New-Market*, in which they told him,

The Petition of the Lords and Commons presented to his Majesty at York Mar. 26. 1642.

"THAT the Lords and Commons in Parliament could "not conceive, that that Declaration, which he received from "them at *New-Market*, was such as did deserve that censure "his Majesty was pleased to lay upon them in that Speech, "which his Majesty made to their Committee; their address "therein, being accompanied with plainness, humility, and "faithfulness, they thought more proper for the removing "the

"the distraction of the Kingdom, than if they had then pro-
"ceeded according to his Message of the twentieth of *Janua-*
"*ry*; by which he was pleased to desire, that they would de-
"clare, what they intended to do for his Majesty, and what
"they expected to be done for Themselves; in both which,
"they said, they had been very much hinder'd by his Maje-
"sty's denial to secure them, and the whole Kingdom, by
"disposing the Militia as they had divers times most Humbly
"Petitioned. And yet, they said, they had not been altoge-
"ther negligent of either, having lately made good proceed-
"ings in preparing a Book of Rates, to be passed in a Bill
"of Tonnage and Poundage, and likewise the most material
"heads of those humble desires, which they intended to make
"to his Majesty for the good and contentment of his Maje-
"sty and his People; but none of those could be perfected
"before the Kingdom be put in safety, by settling the Mili-
"tia: And until his Majesty should be pleased to concur with
"his Parliament in those necessary things, they held it im-
"possible for his Majesty to give the World, or his People,
"such satisfaction concerning the Fears and Jealousies, which
"they had expressed, as they hoped his Majesty had already
"received touching that exception, which he was pleased to
"take to Mr *Pym*'s Speech. As for his Majesty's Fears and
"Doubts, the ground whereof was from seditious Pamphlets
"and Sermons, they said, they should be as careful to endea-
"vour the removal of them, assoon as they should understand
"what Pamphlets and Sermons were by his Majesty intend-
"ed, as they had been to prevent all dangerous Tumults.
"And if any extraordinary Concourse of People out of the
"City to *Westminster* had the face and shew of Tumult and
"Danger, in his Majesty's apprehension, it would appear to
"be caused by his Majesty's denial of such a Guard to his Par-
"liament, as they might have cause to Confide in; and by
"taking into *White-Hall* such a Guard for himself, as gave
"just cause of Jealousy to the Parliament, and of Terrour
"and Offence to his People. They told him, they sought
"nothing but his Majesty's Honour, and the Peace and Pro-
"sperity of his Kingdoms; and that they were heartily sorry,
"they had such plentiful matter for an Answer to that Que-
"stion, whether his Majesty had violated their Laws? They
"besought his Majesty to remember, that the Government of
"this Kingdom, as it was, in a great part, managed by his
"Ministers before the beginning of this Parliament, consisted
"of many continued and multiplied Acts of violation of Laws;
"the wounds whereof were scarcely heal'd, when the Ex-
"tremity of all those violations was far exceeded by the late
"Strange, and unheard of breach of their Laws in the Ac-

"cuſation of the Lord *Kimbolton*, and the five Members of "the Commons Houſe, and in the proceedings thereupon; "for which they had yet received no full ſatisfaction.

"To his Majeſty's next Queſtion, whether he had denied "any Bill for the eaſe and ſecurity of his Subjects? They "wiſhed they could ſtop in the midſt of their Anſwer; that "with much thankfulneſs they acknowledged, that his Ma-"jeſty had paſſed many good Bills full of contentment and "advantage to his People: but Truth and Neceſſity inforced "them to add this, that even in, or about the time of paſſing "thoſe Bills, ſome deſign or other had been on foot, which, "if it had taken effect, would not only have deprived them "of the fruit of thoſe Bills, but have reduced them to a worſe "condition of Confuſion, than that wherein the Parliament "found them.

"And if his Majeſty had asked them the third Queſtion "intimated in that Speech, what They had done for Him? "they told him, their Anſwer would have been much more "eaſy; That they had paid two Armies with which the "Kingdom was burthen'd the laſt year, and had undergone "the Charge of the War in *Ireland* at this time, when through "many other exceſſive Charges and preſſures, his Subjects "had been exhauſted, and the ſtock of the Kingdom very "much diminiſhed; which great miſchiefs, and the charges "thereupon enſuing, had been occaſioned by the evil Coun-"ſels ſo powerful with his Majeſty, which had and would "coſt this Kingdom more than two Millions; all which, in "juſtice, ought to have been born by his Majeſty.

"As for that free and general pardon his Majeſty had been "pleaſed to offer, they ſaid, it could be no ſecurity to their "Fears and Jealouſies, for which his Majeſty ſeem'd to pro-"pound it; becauſe they aroſe not from any Guilt of their "own Actions, but from the evil deſigns, and attempts of "others.

"To that their Humble Anſwer to that Speech, they de-"ſired to add an Information, which they had lately received "from the Deputy Governour of the Merchant Adventurers "at *Rotterdam* in *Holland*, that an unknown Perſon, apper-"taining to the Lord *Digby*, did lately ſollicit one *James Hen-"ly* a Mariner, to go to *Elſenore*, and to take charge of a "Ship in the Fleet of the King of *Denmark*, there prepared; "which he ſhould conduct to *Hull*. In which Fleet likewiſe, "he ſaid, a great Army was to be tranſported; and although "they were not apt to give credit to Informations of that "Nature, yet they could not altogether think it fit to be neg-"lected; but that it might juſtly add ſomewhat to the weight "of their Fears and Jealouſies, conſidering with what cir-

"cumſtances

"cumſtances it was accompanied; with the Lord *Digby's* pre-
"ceding expreſſions in his Letter to her Majeſty, and Sr
"*Lewis Dives*; and his Majeſty's ſucceeding courſe of with-
"drawing himſelf Northward from his Parliament, in a
"manner very ſuitable and correſpondent to that evil Coun-
"ſel; which, they doubted, would make much deeper im-
"preſſion in the generality of his People: and therefore, they
"moſt humbly adviſed, and beſought his Majeſty, for the
"procuring and ſettling the confidence of his Parliament and
"all his Subjects, and for the other important reaſons con-
"cerning the recovery of *Ireland*, and ſecuring this King-
"dom, which had been formerly preſented to him, he would
"be graciouſly pleaſed, with all convenient ſpeed, to return
"to thoſe Ports, and to cloſe with the Counſel and Deſire of
"his Parliament; where he ſhould find their dutiful Affecti-
"ons and Endeavours ready to attend his Majeſty with ſuch
"entertainment, as ſhould not only give him juſt cauſe of ſe-
"curity in their faithfulneſs, but other manifold evidences
"of their earneſt intentions, and endeavours to advance his
"Majeſty's Service, Honour, and Contentment; and to eſta-
"bliſh it upon the ſure Foundation of the Peace, and Proſpe-
"rity of all his Kingdoms.

THIS, which they called a Petition, being preſented to the King, his Majeſty immediately return'd, by the ſame Meſſengers, his Anſwer in theſe words:

The King's Anſwer.

"IF you would have had the patience to have expected
"our Anſwer to your laſt Declaration (which, conſidering
"the nature of it, hath not been long in coming) We be-
"lieve, you would have ſaved your ſelves the labour of ſay-
"ing much of this Meſſage. And we could wiſh, that our
"Privileges on all parts were ſo ſtated, that this way of Cor-
"reſpondency might be preſerved with that freedom, which
"hath been uſed of old. For we muſt tell you, that if you
"may ask any thing of us by Meſſage or Petition, and in
"what Language (how unuſual ſoever) you think fit, and
"we muſt neither deny the thing you ask, nor give a reaſon
"why we cannot grant it, without being taxed of breaking
"your Privileges, or being Counſelled by thoſe, who are Ene-
"mies to the Peace of the Kingdom, and Favourers of the
"*Iriſh* Rebellion (for we have ſeen your Printed Votes up-
"on our Meſſage from *Huntington*) you will reduce all our
"Anſwers hereafter into a very little room; in plain *Engliſh*,
"it is to take away the freedom of our Vote; which, were
"We but a Subject, were high injuſtice, but being your
"King, we leave all the World to judge what it is.

"IS this the way to compoſe all miſunderſtandings? We
"thought, we ſhewed you one, by our Meſſage of the twen-

"tieth of *January*, if you have a better or readier, We shall "willingly hearken to it, for hitherto you have shewed us "none. But why the refusal to consent to your Order, which "you call a denial of the Militia, should be any interruption "to it, we cannot understand. For the Militia, which we "always thought necessary to be settled, we never denied the "thing (as we told you in our Answer of the 28th of *Ja-* "*nuary*) to the Petition of the House of Commons, for we "accepted the Persons, except for Corporations; we only "denied the way. You ask it by way of Ordinance, and with "such a Preface, as we can neither with Justice to our Honour, "or Innocency consent to. You exclude us from any Power "in the disposition or execution of it together with you, and "for a time utterly unlimited. We tell you, we would have "the thing done; allow the Persons, with that exception; "desire a Bill, the only good old way of imposing on our "Subjects: We are extremely unsatisfied what an Ordinance "is, but well satisfied, that without our Consent it is no- "thing, nor binding: and it is evident by the long time spent "in this Argument, the necessity and danger was not so im- "minent, but a Bill might have been prepared; which if it "shall yet be done, with that due regard to us and Care of "our People, in the limitation of the Power and other Cir- "cumstances we shall recede from nothing we formerly ex- "pressed in that Answer to your Order; otherwise, we must "declare to all the World, that we are not satisfied with, or "shall ever allow our Subjects to be bound by, your Printed "Votes of the fifteenth or sixteenth of this Month; or that "under pretence of declaring what the Law of the Land is, "you shall, without Us, make a new Law, which is plainly "the case of the Militia: and what is this but to introduce an "Arbitrary way of Government?

"CONCERNING *Pym*'s Speech, you will have found, by "what the Lord *Compton* and Mr *Baynton* brought from us "in Answer to that Message they brought to us, that, as yet, "we rest nothing satisfied in that particular.

"AS for the Seditious Pamphlets and Sermons, We are "both sorry and ashamed (in so great variety, and in which "our Rights, Honour, and Authority, are so insolently slight- "ed and vilified, and in which the Dignity and Freedom of "Parliaments is so much invaded, and violated) it should be "asked of us to Name any. The mentioning of the Prote- "station Protested, the Apprentices Protestation, *To your* "*Tents O Israel*, or any other, would be too great an excuse "for the rest: If you think them not worth your enquiry, "we have done. But we think it most strange to be told, "that our denial of a Guard (which we yet never denied, but

"granted

" granted in another manner, and under a Command at that " time moſt accuſtomed in the Kingdom) or the denial of " any thing elſe (which is in our Power legally to deny) " which in our underſtanding, of which God hath ſurely given " us ſome uſe, is not fit to be granted, ſhould be any excuſe " for ſo dangerous a Concourſe of People ; which, not only " in our apprehenſion, but, we believe, in the interpreta- " tion of the Law it ſelf, hath been always held moſt Tumul- " tuous, and Seditious. And we muſt wonder, what, and " whence come the Inſtructions and Informations, that thoſe " People have, who can ſo eaſily think themſelves obliged by " the Proteſtation to Aſſemble in ſuch a manner for the de- " fence of Privileges, which cannot be ſo clearly known to " any of them, and ſo negligently paſs over the conſideration, " and defence of our Rights, ſo beneficial and neceſſary for " themſelves, and ſcarce unknown to any of them ; which by " their Oaths of Allegiance and Supremacy, and even by the " ſame Proteſtation, they are at leaſt equally obliged to de- " fend. And what interruptions ſuch kind of Aſſemblies may " be to the freedom of future Parliaments (if not ſeaſonably " diſcountenanced and ſuppreſſed) We muſt adviſe you to " conſider ; as likewiſe, whether both our Rights and Powers " may not by ſuch means be uſurped, by hands not truſted by " the Conſtitution of this Kingdom. For our Guard, we re- " fer you to our Anſwer to your Declaration.

" By that Queſtion of violating your Laws, by which we " endeavour'd to expreſs our care, and reſolution to obſerve " them, we did not expect, you would have been invited to " have looked back ſo many years, for which you have had " ſo ample reparation ; neither looked we to have been re- " proached with the Actions of our Miniſters then againſt " the Laws, whilſt we expreſs ſo great Zeal for the preſent " defence of them ; it being our Reſolution, upon obſerva- " tion of the miſchief which then grew by Arbitrary Power " (although made plauſible to us by the ſuggeſtion of Neceſſity " and imminent Danger, and take you heed, you fall not into " the ſame error, upon the ſame ſuggeſtions) hereafter to keep " the Rule our ſelf, and to our Power require the ſame " from all others. But above all, we muſt be moſt ſenſible " of what you caſt upon us for requital of thoſe good Bills, " you cannot deny. We have denied any ſuch deſign ; and as " God Almighty muſt judge in that point between us, who " knows our upright intentions at the paſſing thoſe Laws, ſo " in the mean time we defy the Divil to prove, that there " was any deſign (with our Knowledge, or Privity) in or " about the time of paſſing thoſe Bills, that, had it taken ef- " fect, could have deprived our Subjects of the fruit of them.

"And therefore we demand full reparation in this point, that "we may be cleared in the sight of all the World, and chiefly "in the eyes of our Loving Subjects, from so notorious and "false an imputation, as this is.

"We are far from denying what you have done; for we "acknowledge the charge our People hath sustained in keep- "ing the two Armies, and in relieving *Ireland*; of which "we are so sensible, that in regard of those great Burthens "our People hath undergone, we have, and do patiently "suffer those extreme Personal Wants, as our Predecessors "have been seldom put to, rather than we would press upon "them; which we hope in time, will be considered on your "parts.

"In our offer of a general Pardon, our intent was to com- "pose and secure the general condition of our Subjects, con- "ceiving that, in these times of great distractions, the good "Laws of the Land have not been enough observed; but it is "a strange World, when Princes proffered Favours are count- "ed Reproaches; yet if you like not this our offer, we have "done.

"Concerning any discourses of Forreign Forces, "though we have given you a full Answer in ours to your last "Declaration, yet we must tell you, we have neither so ill "an opinion of our own Merit, or the Affections of our "good Subjects, as to think our self in need of any Forreign "Forces to preserve us from Oppression; and we shall not "need for any other purpose: but are confident, through "Gods Providence, not to want the good Wishes and As- "sistance of the whole Kingdom, being resolv'd to build upon "that sure Foundation, the Law of the Land; and we take "it very ill, that general discourses between an unknown "Person and a Mariner, or inferences upon Letters, should "be able to prevail in matters so improbable in themselves, "and scandalous to us; for which we cannot but likewise "ask reparation, not only for the vindication of our own "Honour, but also thereby to settle the minds of our Sub- "jects, whose Fears and Jealousies would soon vanish, were "they not fed and maintained by such false and malicious Ru- "mours as these.

"For our return to our Parliament, We have given you "a full Answer in ours to your Declaration; and you ought "to look on us as not Gone, but Driven (we say not By "you, yet) From you. And if it be not so easy for you to "make our residence in *London* so Safe, as we could desire, "we are and will be contented, that our Parliament be Ad- "journ'd to such a place, where we may be fitly and safely "with you. For though we are not pleased to be at this di-

"stance

"ſtance, yet you are not to expect our Preſence, until you "ſhall both ſecure us concerning our juſt Apprehenſions of "Tumultuary Inſolences, and likewiſe give us ſatisfaction for "thoſe inſupportable and inſolent Scandals, that are raiſed "upon us.

"To conclude, as we have or ſhall not refuſe any agree-"able way to Juſtice or Honour, which ſhall be offer'd to us "for the begetting a right underſtanding between us; ſo we "are reſolved that no ſtreights or neceſſities, to which we "may be driven, ſhall ever compel us to do that, which the "reaſon and underſtanding that God hath given us, and our "Honour and Intereſt, with which God hath truſted us for "the good of our Poſterity and Kingdoms, ſhall render un-"pleaſant and grievous to us. And we aſſure you, how "meanly ſoever you are pleaſed to value the diſcharge of our "Publick Duty, we are ſo Conſcious to our ſelf of having "done our part ſince this Parliament, that in whatſoever "Condition we now ſtand, we are confident of the conti-"nued Protection from Almighty God, and the conſtant Gra-"titude, Obedience, and Affection from our People. And "we ſhall truſt God with all.

THESE quick Anſwers from the King gave them very much trouble, and made it evident to them, that he would no more be Swagger'd into Conceſſions that he thought unreaſonable, or perſwaded to them upon general Promiſes, or an implicit Confidence in their future Modeſty; but that he demanded reparation for the breach of his Privileges, and ſo Fought with them with their own Weapons, troubled them much more; apprehending that in a ſhort time, the People might be perſwaded to believe, that the King was in the right, and had not been well dealt with: and though ſome few who thought themſelves too far ingaged to retire, were glad of the ſharpneſs of theſe Paper-Skirmiſhes, which they believed made the wound ſtill wider, and more incurable; yet the Major part which had been induced to joyn with them out of Confidence that the King would yield, and that their boldneſs, and importunity in asking, would prevail with his Majeſty to conſent, wiſhed themſelves fairly unintangled; and I have heard many of the Fierceſt Concurrers, and who have ever ſince kept them Company, at that time profeſs, "That if any expedient might be found to reconcile the pre-"ſent difference about the Militia, they would no more Ad-"venture upon Demands of the like Nature: and the Earl of *Eſſex* himſelf was ſtartled, and confeſſed to his Friends, "That "he deſired a more moderate proceeding ſhould be in Parlia-"ment; and that the King, who had given ſo much, ſhould "receive ſome ſatisfaction. But thoſe of the Court, who thought

thought their faults to their Maſter more unpardonable, could not endure that the Youngeſt Courtier, ſhould be the Eldeſt Convert; and therefore by repeating what the King and Queen had ſaid of him heretofore, and by freſh Intelligence, which they procured from *York*, of what the King then thought of him, they perſwaded him, "That his Condition "was too deſperate to recede: and all Men were perſwaded, that this ſteddy deportment of the King, proceeded from ſome new evil Counſellors, who would be as ſoon Deſtroyed as Diſcovered; and that then they would ſo carry themſelves, that the King ſhould owe his Greatneſs, and his Glory (for they ſtill ſaid, "He ſhould excel all his Predeceſſors in both) to their formed Counſels and Activity, and not to the whiſpers of thoſe who thought to do his buſineſs without them. And I am perſwaded that even then, and I was at that time no ſtranger to the Perſons of moſt that Governed, and a diligent obſerver of their Carriage they had rather a deſign of making themſelves powerful with the King, and great at Court, than of leſſening the Power of the One, or reforming the Diſcipline of the Other: but, no doubt, there were ſome few in the number that looked further; yet by pretending that, kept up the Mettal of Writing, and inclined them for their Honour to new Declarations.

THE King found himſelf at ſome eaſe, and moſt Perſons of Quality of that great County, and of the Counties adjacent, reſorted to him, and many Perſons of Condition from *London*, and thoſe parts, who had not the Courage to attend upon him at *White-Hall*; ſo that the Court appeared with ſome Luſtre. And now he begun to think of executing ſome of thoſe Reſolutions, which he had made with the Queen before her departure; One of which was, and to be firſt done, the removing the Earls of *Eſſex*, and *Holland* from their Offices in the Court, the one of Chamberlain, the other of Groom of the Stole, which hath the reputation and benefit of being firſt Gentleman of the Bed-Chamber. Indeed no Man could ſpeak in the juſtification of either of them, yet no Man thought them equally culpable. The Earl of *Holland* was a Perſon meerly of the King's, and his Fathers Creation; raiſed from the Condition of a private Gentleman, a Younger Brother of an Extraction that lay under a great blemiſh, and without any Fortune, to a great height by their meer Favour, and Bounty. And they had not only adorn'd him with Titles, Honours and Offices, but inabled him to ſupport thoſe in the higheſt Luſtre, and with the largeſt Expence; and this King had drawn many inconveniencies, and great diſadvantages, upon himſelf and his Service, by his preferring him to ſome Truſts, which Others did not only think Themſelves,

but

but really were, worthier of; but especially by indulging him so far in the rigorous Execution of his Office of Chief Justice in Eyre, in which he brought more prejudice upon the Court, and more discontent upon the King, from the most considerable part of the Nobility and Gentry in *England*, than proceeded from any one Action, that had its rise from the King's Will and Pleasure, though it was not without some Warrant from Law; but having not been practised for some hundreds of Years, was looked upon as a terrible Innovation and Exaction upon Persons, who knew not that they were in any fault; nor was any imputed to them, but the Original Sin of their Fore-fathers, even for which they were obliged to pay great Penalties and Ransoms. That such a Servant should suffer his Zeal to lessen and decay toward such a Master, and that he should keep a Title to lodge in his Bed-Chamber, from whose Court he had, upon the matter withdrawn himself, and adhered to, and assisted those, who affronted and contemned his Majesty so notoriously, would admit of no manner of Interposition and Excuse.

LESS was to be objected against the Earl of *Essex*, who as he had been, all his Life, without obligations from the Court, and believ'd he had undergone oppression there, so he was, in all respects, the same Man he had always professed himself to be, when the King put him into that Office; and in receiving of which, many Men believ'd, that he rather gratified the King, than that his Majesty had obliged him in conferring it; and it had been, no doubt, the chief reason of putting the Staff in his hand, because in that Conjuncture no other Man, who would in any degree have appeared worthy of it, had the Courage to receive it. However having taken the Charge upon him, he ought, no doubt, to have taken all his Master's Concernments more to Heart, than he had done; and he can never be excused for staying in *White-Hall*, when the King was with that Outrage driven from thence, and for choosing to behold the Triumph of the Members return to *Westminster*, rather than to attend his Majesty's Person in so great perplexity to *Hampton-Court*; which had been his duty to have done, and for failing wherein, no other excuse can be made, but that, after he had taken so full a Resolution to have waited upon his Majesty thither, that he had dressed himself in his Travelling Habit, he was diverted from it by the Earl of *Holland*, who ought to have accompanied him in the Service, and by his averment, "That if he went, he should be "Assassinated; which it was not possible should have ever been so much as thought of.

NOTWITHSTANDING all this, the Persons trusted by his Majesty and remaining at *London*, had no sooner notice of it

it (which his Majesty sent to them, that he might be advised the best way of doing it) but they did all they could to dissuade the pursuing it. They did not think it a good Conjuncture to make those two Persons desperate; and they knew that they were not of the Temper and Inclinations of those, who had too much Credit with them, nor did desire to drive "things to the utmost Extremities, which could never better their Conditions; and that they did both rather desire to find any Expedients, by which they might make a safe and an honourable Retreat, than to Advance in the way they were ingaged in. But the Argument they chiefly insisted on to "the King, was, "That being depriv'd of their Offices, they "would be able to do more mischief, and ready to imbark "themselves with the most desperate Persons, in the most "desperate Attempts; which fell out accordingly. And there is great reason to believe, that if that Resolution the King had taken, had not been too obstinately pursued at that time, many of the mischiefs, which afterwards fell out, would have been prevented: and, without doubt, if the Staff had remained still in the hands of the Earl of *Essex*, by which he was Charged with the Defence and Security of the King's Person, he would never have been prevail'd with to have taken upon him the Command of that Army, which was afterwards raised against the King, and with which so many Battles were Fought. And there can be as little doubt in any Man, who knew well the Nature and Temper of that Time, that it had been very difficult, if not utterly impossible, for the two Houses of Parliament to have raised an Army then, if the Earl of *Essex* had not consented to be General of that Army.

BUT the King was inexorable in the point; He was obliged by promise to the Queen at parting, which he would not break; and her Majesty had Contracted so great an indignation against the Earl of *Holland*, whose ingratitude indeed towards Her was very odious, that she had said, "She "would never live in the Court, if He kept his place. And so the King sent an Order to *Littleton* the Lord Keeper of the great Seal, "That he should require the Staff and Key from "the One, and the Other, and receive them into his Custody. The Keeper trembled at the Office, and had not Courage to undertake it. He went presently to the Lord *Falkland*, and desired him to assist him in making his excuse to the King. He made many professions of his Duty to the King, "Who, "he hoped, would not Command him in an Affair so unsuit-"able to the Office he held under him: that no Keeper had "been imployed in such a Service; that if he should execute "the Order he had receiv'd, it would in the first place be "Voted a breach of Privilege in him, being a Peer; and the

"House

"Houſe would commit him to Priſon, by which the King "would receive the greateſt affront, though He ſhould be "ruin'd; whereas the thing it ſelf might be done by a more "proper Officer, without any inconvenience.

How weak ſoever the Reaſons were, the Paſſion was ſtrong, and the Lord *Falkland* could not refuſe to convey his Letter to the King, which contained his Anſwer in his own words, with all the imaginable profeſſions of Duty and Zeal for his Service. How ill ſoever his Majeſty was ſatisfied, he ſaw the buſineſs would not be done that way; and therefore he writ immediately a Letter, all in his own hand, to the Lord *Falkland*; in which with ſome gracious expreſſions of excuſe for putting that work upon Him, he Commanded him "To "require the ſurrender of the Enſigns of their Offices from "thoſe two Earls. The Lord *Falkland* was a little troubled in receiving the Command: They were Perſons from whom he had always receiv'd great Civilities, and with whom he had much Credit; and this harſh Office might have been more Naturally, and as Effectually perform'd by a Gentleman Uſher, as the ſame Staff had been demanded before from the Earl of *Pembroke*, within leſs than a Year. However, he would make no excuſe, being a very punctual and exact Perſon in the performances of his Duty; and ſo went to both of them, and met them coming to the Houſe, and imparted his Meſſage to them: They deſired him very civilly, "That he "would give them leave to confer a little together, and they "would, within half an hour, ſend for him into the Houſe of "Commons; whither he went, and they, within leſs time, ſent to him to meet them in Sr *Thomas Cotton's* Garden (a place adjacent, where the Members of both Houſes uſed frequently to walk) and there with very few words, they delivered the Staff and the Key into his hands, who immediately carried them to his Lodging; and They went up to the Houſe of Peers: and preſently both Houſes took notice of it, and with Paſſion, and bitter Expreſſions againſt the evil Counſellors, who had given his Majeſty that Counſel, they concurr'd in a Vote, "That whoſoever preſumed to accept of either of "thoſe Offices, ſhould be reputed an Enemy to his Country; and then they proceeded with more impetuoſity in the buſineſs of the Militia, and all other matters which moſt trenched upon the King's Authority.

Whilst they were ſo eager in purſuit of the Militia, and pretended the neceſſity ſo imminent, that they could not defer the diſpoſition thereof till it might be Formally, and Regularly ſettled by Bill, they had their Eye upon another Militia, the Royal Navy; without recovering of which to their own power (though they were ſatisfy'd by the pulſe of the People, that

that they would joyn with them, and be generally obedient to their Commands) they had no mind to venture upon the execution of their Land Ordinance. And therefore, in the beginning of the Spring, when the Fleet for that Year was provided, after they had excepted against such Persons to be Captains of Ships, as they thought not devoted to them (as is before mentioned) they sent a formal Message to the Lords, "That the Earl of *Northumberland* Lord Admiral, might be "moved to constitute the Earl of *Warwick* his Admiral of the "Fleet for that Years Service, being a Person of such Honour "and experience, as they might safely Confide in him; and "that the Earl of *Warwick* might be desired to undertake that "Service. The Lords thought fit that the King's approbation might be first desired, before it was recommended to the Earl of *Northumberland*; but the Commons thought that superfluous, since the Officers of the Fleet were absolutely in the Earls disposal; and therefore refused to send to the King, but of Themselves sent to both the one Earl and the other; and the Earl of *Warwick*, being well pleased with the Trust, very frankly, without waiting the King's consent, declared "That "he was ready to undertake the imployment. But this being so publickly agitated, the King could not but take notice of it; and finding that the business should not be proposed to him, thought it necessary, to signify his pleasure in it, that so at least the Lord Admiral might not pretend innocence, if ought should be done to his disservice; and therefore, he appointed Mr Secretary *Nicholas* to write to the Earl of *Northumberland*, "That his Majesty expected that Sr *John Penning-*"*ton* should Command that Fleet, as he had done two or "three Years before. This Letter being communicated to both Houses, and the Lord Admiral being thereby upon the disadvantrge of a Single contest with the King, the House of Commons, rather out of kindness and respect to the Earl, than of Duty to the King, Condescended to joyn with the Lords in a Message to his Majesty; which they sent not by Members of their own, but directed the Lord Keeper "To "include it in a Letter to the Secretary attending the King, "and to send the same to *York*; which he did accordingly. The Message was:

A Message from both Houses to the King, Mar. 28. 1642.

"THAT the Lords and Commons, in this present Parlia-"ment assembled, having found it necessary to provide, and "set to Sea, a strong and powerful Navy for the Defence of "this Kingdom against Forreign force, and for the Security of "his Majesty's other Dominions, the Charge whereof was to "be born by the Common-wealth: and taking notice of the "indisposition of the Lord Admiral, which disabled him, at "that time, for Commanding the Fleet in his own Person, did

"there-

"thereupon recommend unto his Lordſhip the Earl of *War-*
"*wick*, a Perſon of ſuch Quality and Abilites, as in whom
"they might beſt Confide, to ſupply his Lordſhips room for
"this Imployment; and underſtanding that his Majeſty hath
"ſince ſignify'd his Pleaſure concerning that Command for
"*John Pennington*, they ſaid, they did hold it their Duty to re-
"preſent to his Majeſty the great danger, and miſchief the
"Common-wealth was like to ſuſtain by ſuch interruption;
"and therefore did humbly beſeech his Majeſty, that the
"Noble Perſon, recommended by both Houſes of Parliament
"for this Service, might be no longer detained from it, out
"of any particular reſpect to any other Perſon whatſoever.

THE ſame day that this Meſſage came to his Majeſty, he diſpatched an Anſwer to the Lord Keeper; in which he told him, "That he wonder'd both at the Form, and Matter of "that incloſed Paper he had ſent to him, in the Name of "both Houſes of Parliament: It being neither by the way "of Petition, Declaration, or Letter; and for the Matter, he "believ'd, it was the firſt time, that the Houſes of Parlia-"ment had taken upon them the Nomination, or Recom-"mendation of the chief Sea-Commander; but it added to "the wonder, that Sr *John Pennington* being already appoint-"ed by Him for that Service, upon the Recommendation of "his Admiral, and no fault ſo much as alledged againſt him, "another ſhould be recommended to him. Therefore, he "ſaid, his Reſolution upon that point was, that he would "not alter him, whom he had already appointed to Com-"mand that Years Fleet; whoſe every ways Sufficiency was ſo "Univerſally known, the which he was confident his Ad-"miral, if there ſhould be occaſion, would make moſt evi-"dent; againſt whoſe teſtimony he ſuppoſed his Parliament "would not except. And though there were yet None ap-"pointed, or the ſaid Sr *John*, through ſome accident, not "able to perform the Service; yet he ſaid, the men of that "profeſſion were ſo well known to him, beſides many other "reaſons, that (his Admiral excepted, becauſe of his place) "recommendations of that kind would not be acceptable to "him. *The King's Anſwer.*

THIS Anſwer was no other than they expected, though they ſeem'd troubled at it, and pretended that they had many things of Miſdemeanour to object againſt Sr *John Pennington*, at leaſt ſuch matters as would render him incapable of that Truſt; the greateſt of which was that he had convey'd the Lord *Digby* over Sea; though they well knew (as is before mention'd) that he had the King's Warrant and Command for that purpoſe; and therefore moved the Lords that he might be ſent for to be examined upon many particulars: and in the

the mean time, whilst they caused him to attend their leisure to be examined, they proceeded in hastning the Earl of *Warwick* to make himself ready for the Service, who made no scruple of undertaking it; and the Earl of *Northumberland* receiving the Order, and Desire of both Houses "To grant his "Commission to him to be Admiral of that Fleet, thought himself sufficiently excused towards the King, and did it accordingly. The two Houses in the mean time, without any further thought of procuring the King's Consent, preparing reasons to satisfy his Majesty for the Necessity, or Convenience of their proceeding.

MANY Men, especially they who at a distance observ'd and discern'd the Difficulties the King was like to Encounter, wonder'd that upon so apparent a breach of Trust, and act of Undutifulness, his Majesty did not at that time revoke the Lord Admiral's Commission, which was but during pleasure; and so put that sure Guard of the Kingdom, his Navy, under such a Command as he might depend upon. But the truth is, it was not Then Counsellable; for (besides that it was easier to Resolve, "That it was fit to remove the Earl of *Northum-* "*berland*, than to find a Man competent for the place) that way it might have been possible to have prevented the going out of any Fleet to Sea, which would have confirmed the frantick Jealousies of bringing in Forreign Forces; but not have reduced it to his own Obedience.

THEY had by degrees, so order'd the Collection of Tonnage and Poundage, by passing Bills for six weeks or two months at a time, and putting those, who should Receive or Pay those Duties, otherwise than they were granted by those Bills, into a Præmunire; and so terrified the old Customers, that the King had no other means of setting out his Fleet, than by the Monies arising by the Customs, which they absolutely disposed of; and at this time had Contracted with the Victualler, made the Ships ready, and hired many Merchants Ships to joyn in that Fleet for the Guard of the Seas. And whilst this matter of the Admiral was in suspence, they suffered the former Bill of Tonnage and Poundage to expire, and did not, till the very Night before, pass a new Bill; which could not have the Royal Assent till many days after, the King being then at *York*. Yet the House of Commons, to salve all Danger of the Præmunire, on the 24th of *March*, being the very day that the former Bill expired, sent an Order to all the Collectors of the Customs, many of which could not receive it in ten days after;

"THAT the new Bill being passed by both Houses for the "continuance of those payments until the third day of *May* "(which could not yet receive the Royal Assent, in regard

"of

" of the remoteneſs of his Majeſty's Perſon from the Parlia-
" ment) which Monies to be collected by that Bill were to
" be employ'd in the neceſſary Guarding of the Seas, and De-
" fence of the Common-wealth : It was therefore order'd by
" the Commons in Parliament, that the ſeveral Officers be-
" longing to the Cuſtom Houſe, Both in the Port in *London*,
" and the out Ports, ſhould not permit any Merchant or other
" to Lade, or Unlade any Goods, or Merchandizes, before
" ſuch Perſons do make due Entries thereof in the Cuſtom
" Houſe. And it was declared alſo by the ſaid Commons,
" that ſuch Officers, upon the reſpective Entry made by any
" Merchant as aforeſaid, ſhould intimate to ſuch Merchant,
" that it was the advice of the Commons, for the better eaſe
" of the ſaid Merchants, and in regard the reſpective Duties
" would relate, and become due as from that day; that the
" ſaid Merchants upon Entry of their Goods, as uſually they
" did, when a Law was in force to that purpoſe, would de-
" poſite ſo much Money as the ſeveral Cuſtoms would amount
" unto, in the hands of ſuch Officers, to be by them account-
" ed to his Majeſty, as the reſpective Cuſtoms due by the
" ſaid Bill, when the ſaid Bill ſhould have the Royal Aſſent ;
" or otherwiſe, his Majeſty refuſing the paſſing thereof, the
" ſaid Monies to be reſtored, upon demand, unto the ſeveral
" Merchants reſpectively.

By which Order, which was a more abſolute Diſpenſation for a *Præmunire*, than ever any *Non obſtante* granted by the Crown, the Cuſtoms were as frankly, and fully paid, as if an Act of Parliament had been paſſed to that purpoſe; and aſſoon as the Commiſſion could be ſent, and returned from *York*, the Act was paſſed. But no doubt they had a further deſign in ſuffering the Bill totally to expire, before they prepared a new One, than at that time was apprehended; and intended, under ſuch a Popular neceſſity, which ſeem'd to be occaſioned by the King's abſence, to bring their own Orders in ſuch a reputation, that in another neceſſity which They ſhould Declare, they might by the Precedent of this, which was the only Indemnity all thoſe Merchants who paid, and the Officers who receiv'd, Cuſtoms, had for the preſervation of their Eſtates, be currently and abſolutely obeyed and ſubmitted to.

By this it appears the King could not at that time, with conveniency or ſafety to his Affairs, diſplace the Earl of *Northumberland*; and He believ'd, if his occaſions ſhould Hereafter require it, that the Time would be much more ſeaſonable, when the Fleet was at Sea; and the Thing it ſelf more practicable: which was a true concluſion. However, he expreſſed ſo much diſlike againſt the Earl of *Warwick*'s

Commanding that Fleet, that he was not willing that any Officers whom he valued, ſhould take imployment under him; which he had ſhortly after cauſe to repent. For, by this means, the Vice-Admiralty, which was deſign'd to Captain *Cartwright*, the Controller of the Navy, who hath ſince ſufficiently teſtify'd how advantageouſly to his Majeſty he would have managed that Charge, upon His refuſal (which was occaſioned by intimation from his Majeſty, as ſhall be hereafter mentioned) was Conferr'd upon *Batten*, an obſcure Fellow; and, though a good Sea-man, unknown to the Navy, till he was, two or three Years before, for money, made Surveyor, who executed it ever ſince with great animoſity againſt the King's Service, of which more hereafter.

BEING, by this means, ſecure at Sea, they proceeded with more vigour at Land; and, though they thought it not Yet ſeaſonable to execute their Ordinance for the Militia with any Form and Pomp, they directed, Underhand, their Agents and Emiſſaries, "That the People, of Themſelves, ſhould "chooſe Captains and Officers, and Train under the name "of Voluntiers; which begun to be practiſed in many places of the Kingdom, but only in thoſe Corporations, and by thoſe Inferiour People, who were notorious for Faction, and Schiſm in Religion. The King's Declarations, which were now carefully publiſhed, gave them ſome trouble, and made great impreſſion, in Sober Men, who were moved with the Reaſon, and in Rich Men, who were ſtartled at the Commands in them. But that Clauſe in the King's Anſwer to their Declaration, preſented to him at *New-Market*, in which He told them, "That if they had not been inform'd of the "ſeditious words uſed in, and the circumſtances of the Tu-"mults, and would appoint ſome way for the examination "of them, that he would require ſome of his Learned Coun-"cil to attend with ſuch Evidence as might ſatisfy them, troubled them much more. For if there were ſtill ſo much Courage left in the King's Council, that they durſt appear to inform againſt any of thoſe proceedings, which They favoured, they ſhould find Men grow more afraid of the Law than of Them; which would deſtroy all their deſigns. Therefore they Reſolv'd to proceed with all expedition, and ſeverely againſt the Atturney General for his Treſpaſs and Preſumption upon their Privileges, in the Accuſation of the five Members, and the Lord *Kimbolton*: of the circumſtances of which Proceeding, and Judgment thereupon, being as extraordinary, and as diſtant from the Rules of Juſtice, at leaſt of Practice, as any thing that then happen'd, it will not be amiſs to ſet down two or three particulars.

SHORTLY after they had Impeached him (which is mentioned

tioned before) and the King had found it neceſſary to give over any proſecution againſt the Others, his Majeſty being deſirous now he had freed Them, that They ſhould free His Atturney, writ a Letter from *Royſton*, when, he was in his way to *York*, to the Lord Keeper; in which he told him, "That the Articles which had been preferred againſt the Mem-"bers, were, by Himſelf delivered to his Atturney General "engroſſed in Paper; and that he had then commanded him "to accuſe thoſe Perſons, upon thoſe Articles of High Trea-"ſon, and other Miſdemeanours; and, in His Name to de-"ſire a Committee of Lords might be appointed to take the "examination of ſuch Witneſſes as ſhould be produced, as "formerly had been done in caſes of like nature, according to "the Juſtice of the Houſe. And his Majeſty did further de-"clare, That his ſaid Atturney did not adviſe or contrive the "ſaid Articles, nor had any thing to do with, or in adviſing, "any breach of Privilege that followed after. And for what "he did in obedience to His Commands, he conceived he "was bound by Oath, and the duty of his Place, and by the "Truſt repoſed in him by his Majeſty, ſo to do: and that "if he had refuſed to obey his Majeſty therein, his Majeſty "would have queſtion'd him for breach of Oath, Duty, and "Truſt; but now having declared that he found cauſe whol-"ly to deſiſt from proceeding againſt the Perſons accuſed, he "had commanded him to proceed no further therein, nor to "produce, nor diſcover any Proof concerning the ſame.

THOUGH this Teſtimony of his Majeſty's clearly abſolved him from the Guilt, with which he was charged, yet it rather hatten'd the Trial, and ſharpen'd the edge, that was before keen enough againſt him; and the day of Trial being come, when the Members of the Commons, who were appointed for the Proſecution, found that Counſel was ready (which had been aſſigned by the Lords) for the defence of the Atturney General, they profeſſed, "That they would admit no "Council; that it was below the Dignity of the Houſe of "Commons to plead againſt Fee'd Council; that whoever "preſumed to be of Counſel with a Perſon accuſed by the "Commons of *England*, ſhould be taught better to know his "duty, and ſhould have cauſe to repent it. The Lords ſeem'd much moved with this reproach, that their Acts of Judica-ture ſhould be queſtioned, and the Council, which had been juſtly, and regularly aſſign'd by them, ſhould be threaten'd for ſubmitting to Their Order. But that which troubled them moſt, was, that the Council, which was aſſign'd by them, upon this reprehenſion, and threat of the Commons, poſitively re-fuſed to meddle further in the buſineſs, or to make any De-fence for the Atturney. Hereupon, they put off the Trial,

and commit to the Tower of *London* Sr *Thomas Beddingfield*, and Sr *Thomas Gardiner*, for their contempt in refusing to be of Council with the Atturney upon Their Assignment: standers by, looking upon the justice of Parliament with less reverence, to see the Subject, between the contradictory, and opposite Commands of both Houses (the displeasure of either being insupportable) punished and imprisoned for doing, by One, what he was streightly inhibited from doing by the other.

HOWEVER, this difference gave only respite for some days to the Atturney, who was quickly again called before his Judges. To what was passionately and unreasonably objected against him, "Of breach of Privilege and Scandal, he confidently alledg'd "The Duty of his place; that his Master's "Command was warrant for what he had done; and that "he had been justly punishable if he had refused to do it, "when Commanded; that there had never been a Pretence "of Privilege in Case of Treason, the contrary whereof was "not only understood by the Law, but had been by Them-"selves confessed, in a Petition delivered by them in the be-"ginning of this King's Reign, upon the imprisonment of "the Earl of *Arundel*; in which it was acknowledged, that "the Privileges of Parliament extended not to Treason, Fe-"lony, or refusal to find Sureties for the Peace; that he had "no reason to suspect the executing the Duty of his place, "would have been imputed to him for any Trespass, since "the very same thing he had now done, and of which he stood "accused, was done, in the first year of this King's Reign, "by Sr *Robert Heath*, the then Atturney General; who ex-"hibited Articles of High Treason before their Lordships, "against the Earl of *Bristol*, which was not then understood "to be any breach of Privilege; and therefore, having so "late a Precedent, most of their Lordships being then Judges, "he hoped he should be held excusable for not being able "to discern that to be a crime, which they had yet never de-"clared to be so. The undeniable reasons of his Defence (against which nothing was replied, "But the inconvenience "and mischief, which would attend a Parliament, if the Mem-"bers might be accused of High Treason without their con-"sent) prevailed so far with the Major part of the House of Peers, though the Prosecution was carried on with all imaginable sharpness, and vehemence by the House of Commons, and entertained by those Peers, who were of that Party, as a matter of vast concernment to all their hopes, that the Questions being put, Whether he should be deprived of his place of Atturney? Whether he should be Fined to the King? Whether he should pay Damages to the Persons accused? and, Whether he should be committed to the Tower? which were the

several

ſeveral parts of the Sentence, which many of the Lords had preſſed he ſhould undergo, the Negative prevailed in every one of the Particulars; ſo that the Atturney was underſtood by all Men, who underſtood the Rules and Practice of Parliament, to be abſolutely abſolved from that Charge and Impeachment, by the Judgment of the Houſe of Peers.

THE Houſe of Commons expreſſed all poſſible reſentment, and declared "That they would not reſt ſatisfy'd with "the Judgment; and ſome Lords even of thoſe who had acquitted him, were very deſirous to find out an Expedient, whereby the Houſe of Commons might be compounded with; and it was believed, that the Atturney himſelf was much ſhaken with the torrent of Malice and Prejudice, which the Houſe of Commons ſeem'd now to threaten him with; conceiving, "That He and his Office now Triumphed over the "whole Body, and not over ſix Members only: and therefore, after ſome days, the Houſe of Peers conſidering, "That "his Diſcharge was but Negative, that he ſhould not be pu-"niſhed in this and that degree; and that he had no Abſolu-"tion from the Crimes, with which he was charged, proceeded to a new Judgment (contrary to all courſe and practice of Parliament, or of any Judicial Court) and complying with all their other Votes, Reſolv'd, by way of Judgment upon him, "That he ſhould be diſabled from ever being a Parliament "Man; incapable of any place of Judicature, or other Pre-"ferment, than of Atturney General; which they could not deprive him of, by reaſon of the former Vote: and "That he "ſhould be committed to the Priſon of the Fleet. Which Sentence was with all Formality pronounced againſt him, and he committed to the Fleet accordingly: with which Sentence the Commons were no more ſatisfy'd than with the Former; ſome of them looking that their Favourite, the Sollicitor, ſhould have the place of Atturney; Others, that the Accuſed Members ſhould receive ample Damages by way of reparation; without which they could not think themſelves ſecure from the like Attempts.

HAVING, by this extraordinary and exemplary proceeding, fortify'd their Privileges againſt ſuch Attempts, and ſecured their Perſons from being Accuſed, or proceeded againſt by Law, they uſed no leſs ſeverity, againſt all thoſe who preſumed to queſtion the juſtice, or prudence of their Actions, eſpecially againſt thoſe, who, following the Method that had done ſo much hurt, drew the People to Petition for that which they had no mind to grant; and in this proſecution they were not leſs ſevere, and vehement, than againſt the higheſt Treaſon could be imagined.

UPON the Petition mentioned before, that was framed

in *London* againſt their ſettling the Militia, they committed one *George Binion*, a Citizen of great Reputation for Wealth and Wiſdom, and who was indeed a very Sober Man. After he had lain ſome time in Priſon, the Lords, according to Law, Bail'd him; but the Commons cauſed him the next day to be recommitted, and preferr'd an Impeachment againſt him, for no other Crime but "Adviſing and contriving that Peti-"tion. The Gentleman defended himſelf, "That it was al-"ways held, and ſo publickly declared this Parliament, to be "Lawful, in a modeſt way, to Petition for the removal, or "prevention of any Grievance: that obſerving very many Pe-"titions to be delivered, and received, for the ſettling the Mi-"litia, in an other way than was then agreeable to the Law, "or had been practiced, and conceiving that the ſame would "prove very prejudicial to the City of *London*, of which he "was a Member, he had joyn'd with many other Citizens, "of known Ability and Integrity, in a Petition againſt ſo great "an inconvenience; which, he preſumed, was Lawful for "him to do. How reaſonable ſoever this Defence was, the Houſe of Peers adjudged him "To be Disfranchiſed, and in-"capable of any Office in the City; to be committed to the "Common Goal of *Colcheſter* (for his Reputation was ſo great in *London*, that they would not truſt him in a City Priſon) and Fin'd him three Thouſand pounds.

About the ſame time, at the General Aſſizes in *Kent*, the Juſtices of Peace, and principal Gentlemen of that County, prepared a Petition to be preſented to the two Houſes, with a deſire, "That the Militia might not be otherwiſe exerciſed "in that County, than the known Law permitted: and that "the Book of Common-Prayer, eſtabliſhed by Law, might be "obſerved. This Petition was Communicated by many to their Friends, and Copies thereof ſent abroad, before the Subſcription was ready; whereupon the Houſe of Peers took notice of it, as tending to ſome Commotion in *Kent*; and, in the Debate, the Earl of *Briſtol* taking notice, "That he had "ſeen a Copy of it, and had had ſome Conference about it with "Judge *Mallet*, who was then Judge of Aſſize in *Kent*, and newly return'd out of his Circuit, both the Earl and Judge, for having but ſeen the Petition, were preſently committed to the Tower; and a Declaration publiſhed, "That none "ſhould preſume to deliver that, or the like Petition, to either "Houſe. Notwithſtanding which, ſome Gentlemen of *Kent*, with a great number of the Subſtantial Inhabitants of that County, came to the City; which, upon the Alarum, was put in Arms; ſtrong Guards placed at *London* Bridge, where the Petitioners were diſarmed, and only ſome few ſuffered to paſs with their Petition to *Weſtminſter*; the reſt forced to return

to

to their Country. And, upon the delivery thereof to the Houſe of Commons (though the ſame was very modeſt, and in a more dutiful Dialect than moſt Petitions delivered to them) the bringers of the Petition were ſharply reprehended; two or three of them committed to ſeveral Priſons; the principal Gentlemen of the Country, who had Subſcribed and Adviſed it, ſent for as Delinquents; Charges, and Articles of Impeachment, drawn up againſt them; and a Declaration publiſh'd, "That whoſoever ſhould henceforth Adviſe, or "Contrive the like Petitions, ſhould be proceeded againſt, as "Enemies to the Common-wealth. So unlike, and different were their Tempers, and reception of thoſe modeſt Addreſſes, which were for Duty and Obedience to the Laws eſtabliſhed; and thoſe which preſſed, and brought on Alteration and Innovation. But that injuſtice gave great life, and incouragement to their own Proſelytes; and taught others to know that their being Innocent would not be long eaſy or ſafe: and this kind of Juſtice extended it ſelf in the ſame meaſure to their own Members, who oppoſed their irregular determinations; who, beſides the Agony and Vexation of having the moſt plain Reaſon, and confeſſed Law, rejected, and over-ruled with contempt and noiſe, were lyable to all the Perſonal Reproaches and Diſcountenance, that the Pride and Petulancy of the other Party, could lay upon them; and were ſometimes impriſon'd and diſgraced, for freely ſpeaking their Opinions, and Conſcience in Debate.

All ſorts of Men being thus terrify'd, the Commons remember'd, that a great Magazine of the King's Ammunition lay ſtill at *Hull*; and though that Town was in the Cuſtody of a Confident of their own, yet they were not willing to venture ſo great a Treaſure ſo near the King, who continued at *York*, with a great reſort of Perſons of Honour and Quality from all parts; and therefore they Reſolv'd, under pretence of ſupplying *Ireland*, to remove it ſpeedily from thence; and moved the Lords, "To joyn with them in an Order to that "purpoſe. The Lords, who proceeded with leſs Fury, and more Formality, deſired "That it might be done with the "King's Conſent. After a long Debate, the one thinking they Merited much by that Civility, the other contented to gratify thoſe in the Ceremony, who, they knew, would in the end Concur with them, a Petition was agreed upon to be ſent to his Majeſty; in which, that he might the ſooner yield to them in this matter, they Reſolv'd to remember him of that which, they thought, would reflect on him with the People, and to "Move him to take off the Reprieve from the ſix "Prieſts, which is before mentioned. And ſo they ſent their Petition to him, telling him, "That they found the Stores

A Petition from the two Houses to remove the Magazine from Hull.

"of Arms, and Ammunition in the Tower of *London* much "diminiſhed; and that the neceſſity for ſupply of his King- "dom of *Ireland* (for which they had been iſſued from thence) "daily increaſed; and that the occaſion, for which the Ma- "gazine was placed at *Hull*, was now taken away; and conſi- "dering it would be kept at *London* with leſs Charge, and "more Safety, and Tranſported thence with much more con- "venience for the Service of the Kingdom of *Ireland*; they "therefore humbly prayed, that his Majeſty would be gra- "ciouſly pleaſed to give leave, that the ſaid Arms, Cannon, "and Ammunition, now in the Magazine of *Hull*, might be "removed to the Tower of *London*, according as ſhould be "directed by both his Houſes of Parliament: And whereas "ſix Prieſts, then in *Newgate*, were condemn'd to dye, and "by his Majeſty had been Reprieved, they humbly prayed "his Majeſty to be pleaſed, that the ſaid Reprieves might be "taken off, and the Prieſts executed according to Law. To which Petition his Majeſty immediately returned Anſwer in theſe words;

His Majeſty's Anſwer.

"WE rather expected, and have done long, that you "ſhould have given Us an account, why a Garriſon hath "been placed in our Town of *Hull*, without our Conſent, and "Soldiers Billeted there againſt Law, and expreſs words of "the Petition of Right, than to be moved, for the avoiding "of a needleſs Charge you have put upon your ſelves, to give "our Conſent for the removal of our Magazine and Muni- "tion, our own proper Goods, upon ſuch general Reaſons "as indeed give no ſatisfaction to our Judgment: And ſince "you have made the buſineſs of *Hull* your Argument, We "would gladly be informed, why our own inclination, on the "general Rumour of the deſigns of Papiſts in the Northern "Parts, was not thought ſufficient ground for us to put a "Perſon of Honour, Fortune, and unblemiſhed Reputation, "into a Town and Fort of our own, where our own Maga- "zine lay: and yet the ſame Rumour be Warrant enough for "you to commit the ſame Town and Fort, without our "Conſent, to the hands of Sr *John Hotham*, with a power "unagreeable to the Law of the Land, or the Liberty of the "Subject.

"AND yet of this, in point of Right, or Privilege, for "ſure We are not without Privilege too, we have not all "this while complained: and being confident that the place, "whatſoever diſcourſe there is of Publick or Private In- "ſtructions to the contrary, ſhall be ſpeedily given up, if we "ſhall require it, we ſhall be contented to diſpoſe our Mu- "nition there, as we have done in other places, for the "Publick eaſe and benefit, as, upon particular advice, we

"ſhall

" ſhall find convenient; though we cannot think it fit, or " conſent, that the whole Magazine be removed together. " But when you ſhall agree upon ſuch proportions, as ſhall " be held neceſſary for any particular Sercice, we ſhall ſign " ſuch Warrants as ſhall be agreeable to Wiſdom and Reaſon; " and if any of them be deſign'd for *Ulſter*, or *Lemſter*, you " know well the Conveyance will be more eaſy, and conve- " nient from the place they are now in. Yet we muſt tell " you, that if the Fears are ſo great from the Papiſts at home, " or of Forreign Force, as is pretended, it ſeems ſtrange that " you make not proviſion of Arms, and Munition, for defence " of this Kingdom, rather than ſeek to carry any more from " hence, without ſome courſe taken for ſupply; eſpecially, " if you remember your Engagement to our *Scotiſh* Subjects, " for that proportion of Arms, which is contained in your " Treaty. We ſpeak not this, as not thinking the ſending " of Arms to *Ireland* very neceſſary, but only for the way " of the proviſion. For you know what great quantities we " have aſſign'd out of our ſeveral Stores, which, in due " time, we hope, you will ſee repleniſhed. For the Charge " of looking to the Magazine at *Hull*, as it was undertaken " Voluntarily by you at firſt, and, to ſay no more, Unne- " ceſſarily; ſo you may free our good People of that Charge, " and leave it to Us to look to, who are the proper Owner " of it. And this, we hope, will give you full ſatisfaction in " this poinr, and that ye do not, as you have done in the bu- " ſineſs of the Militia, ſend this Meſſage out of Compliment " and Ceremony, reſolving to be your own Carvers at laſt. " For we muſt tell you, if any Attempt ſhall be made or " given in this matter, without our Conſent or Approbation, " we ſhall eſteem it as an Act of Violence againſt us; and " declare it to all the World, as the greateſt Violation of our " Right, and breach of our Privilege.

" CONCERNING the ſix Prieſts condemn'd, it is true, " they were Repriev'd by our Warrant, we being inform'd " that they were, by ſome reſtraint, diſabled to take the be- " nefit of our former Proclamation; ſince that, we have If- " ſued out another, for the due Execution of the Laws " againſt Papiſts; and have moſt ſolemnly promiſed, in the " word of a King, never to pardon any Prieſt, without your " Conſent, which ſhall be found guilty by Law; deſiring to " baniſh theſe, having herewith ſent our Warrant to that pur- " poſe, if, upon ſecond thoughts, you do not diſapprove there- " of. But if you think the Execution of theſe Perſons ſo very " neceſſary to the great, and pious work of Reformation, we " refer it wholly to you; declaring hereby, that upon ſuch " your Reſolution ſignify'd to the Miniſters of Juſtice, our

" Warrant

"Warrant for their Reprieve is determined, and the Law to "have the course. And now let us ask you (for we are "willing to husband time, and to dispatch as much as may "be under one Message; God knows the distractions of "this Kingdom want a present Remedy) will there never be "a time to Offer to, as well as to ask of us? We will pro- "pose no more particulars to you, having no luck to please, "or to be understood by you; take your own time for what "concerns our particular: but be sure you have an early, "speedy Care of the Publick; that is, of the only Rule that "preserves the Publick, the Law of the Land; preserve the "Dignity and Reverence due to that. It was well said in "a Speech, made by a private Person; it was Mr *Pym*'s "Speech against the Earl of *Strafford*, but published by Order "of the House of Commons this Parliament: The Law is that, "which puts a difference betwixt Good and Evil, betwixt "Just and Unjust. If you take away the Law, all things will "fall into a Confusion, every Man will become a Law unto "himself; which, in the depraved Condition of Human Na- "ture, must needs produce many great Enormities. Lust will "become a Law, and Envy will become a Law; Covetous- "ness and Ambition will become Laws; and what dictates, "what decisions, such Laws will produce, may easily be dis- "cerned. So said that Gentleman, and much more, very "well, in defence of the Law, and against Arbitrary Power. "It is worth looking over, and considering: and if the most "Zealous Defence of the true Protestant Profession, and the "most Resolv'd Protection of the Law, be the most necessary "duty of a Prince, we cannot believe this miserable distance, "and misunderstanding, can be long continued between us; "we having often, and earnestly declared them to be the "chiefest desires of our Soul, and the End and Rule of all "our Actions. For *Ireland*, we have sufficiently, and we "hope satisfactorily, expressed to all our Good Subjects our "hearty sense of that sad business, in our several Messages on "that Argument, but especially in our last of the eighth of "this Month, concerning our Resolution for that Service; "for the Speedy, Honourable, and full Performance whereof, "we conjure you to yield all possible assistance, and present "advice.

THIS Answer was receiv'd with the usual circumstances of trouble and discontent, the taxing of evil Counsellors, and Malignant Persons about the King; and that Clause about the Condemn'd Priests exceedingly displeased them; for by the King's reference of the matter entirely to them, he had removed the scandal from Himself, and laid it at Their doors; and though they were well content, and desirous, that they should

ſhould have been Executed by the King's Warrant for taking off his own Reprieve (whereby they ſhould have made him retract an Act of his own Mercy, and undeniably within his own Power; and thereby have leſſened much of the Devotion of that People to him, when they ſhould have ſeen him quit his Power of preſerving them in the leaſt degree) yet, for many reaſons, they were not willing to take that harſh part upon Themſelves; and ſo thoſe Condemn'd Prieſts were no more proſecuted, and were much ſafer under that Reference for their Execution, than they could have been, at that time, by a Pardon under the Great Seal of *England*. For the other part of the Anſwer concerning the Magazine, it made no pauſe with them, but within few days after, they ſent a Warrant to their own Governour, Sr *John Hotham*, to deliver it; and to their own Admiral, the Earl of *Warwick*, to tranſport it to *London*; which was, notwithſtanding the King's inhibition, done accordingly. But they had at that time another Meſſage from the King, which was referr'd to in the laſt Clauſe of that Anſwer, and came to their hands ſome few days before, that gave them ſome ſerious trouble and apprehenſion; the grounds and reaſons of which were theſe.

THE King finding, that notwithſtanding all the profeſſions, and proteſtations he could make, the buſineſs of *Ireland* was ſtill unreaſonably objected to him, as if he were not cordial in the ſuppreſſing that Rebellion, ſent a Meſſage to both Houſes:

His Majeſty's Meſſage to both Houſes Apr. 8. 1642. offering to go in Perſon into Ireland.

"THAT being griev'd at the very Soul for the Calamities "of his Good Subjects of *Ireland*, and being moſt tenderly "ſenſible of the falſe, and ſcandalous Reports diſperſed a- "mongſt the People concerning the Rebellion there; which "not only wounded his Majeſty in Honour, but likewiſe "greatly retarded the Reducing that unhappy Kingdom, and "multiply'd the diſtractions at Home, by weakning the mu- "tual Confidence between Him, and his People, out of his "Pious Zeal to the Honour of Almighty God, in eſtabliſhing "the true Proteſtant Profeſſion in that Kingdom, and his "Princely Care for the good of all his Dominions, he had "firmly reſolv'd to go with all convenient ſpeed into *Ireland*, "to Chaſtiſe thoſe wicked and deteſtable Rebels, odious to "God, and all Good Men; thereby ſo to ſettle the Peace "of that Kingdom, and the Security of This, that the very "name of Fears and Jealouſies might be no more heard of "amongſt them.

"AND He ſaid, as he doubted not, but his Parliament "would cheerfully give all poſſible Aſſiſtance to this good "Work, ſo he required them, and all his Loving Subjects, to "believe, that he would, upon thoſe conſiderations, as ear- "neſtly

"neſtly purſue that Deſign, not declining any hazard of his "Perſon in performing that duty, which he ow'd to the de- "fence of God's true Religion, and his diſtreſſed Subjects, as "he Undertook it for thoſe only ends; to the ſincerity of "which profeſſion, he called God to Witneſs, with this fur- "ther aſſurance, that he would never conſent, upon whatſo- "ever pretence, to a Toleration of the Popiſh Profeſſion "there, or the Abolition of the Laws now in force againſt "Popiſh Recuſants in that Kingdom.

"His Majeſty further advertiſed them, that, towards this "Work, he intended to raiſe forthwith, by his Commiſſions, "in the Counties near *Weſt-Cheſter*, a Guard for his own Per- "ſon (when he ſhould come into *Ireland*) conſiſting of two "thouſand Foot, and two hundred Horſe, which ſhould be "Arm'd at *Weſt-Cheſter*, from his Magazine at *Hull*; at which "time, he ſaid, all the Officers and Soldiers, ſhould take the "Oaths of Supremacy, and Allegiance; the Charge of raiſing "and paying whereof, he deſired the Parliament to add to "the former Undertakings of that War; which he would "not only well accept, but, if their Pay ſhould be found too "great a burden to his good Subjects, he would be willing, "by the adviſe of his Parliament, to Sell, or Pawn, any of his "Parks, Lands, or Houſes, towards the Supplies of the Ser- "vice of *Ireland*. With the addition of theſe Levies to the "former of *Engliſh* and *Scotiſh*, agreed upon in Parliament, he "ſaid, he hoped ſo to appear in that Action, that by the "Aſſiſtance of Almighty God, that Kingdom, in a ſhort time, "might be wholly reduced, and reſtored to Peace, and ſome "meaſure of Happineſs; whereby he might cheerfully return, "to be welcomb'd Home with the Affections and bleſſings of "all his good *Engliſh* People.

"Towards this good Work, he ſaid, as he had lately "made diſpatches into *Scotland*, to quicken the Levies there "for *Ulſter*, ſo he heartily wiſhed, that this Parliament would "give all poſſible Expedition to thoſe, which they had Re- "ſolv'd for *Munſter* and *Canaught*; and hoped the encourage- "ment which the Adventurers, of whoſe intereſts he would "be always very careful, would hereby receive, would raiſe "full Sums of Money for the doing thereof. He told them, "that out of his earneſt deſire to remove all occaſions, which "did unhappily multiply miſunderſtandings between him "and his Parliament, he had likewiſe prepared a Bill to be "offer'd to them by his Atturney concerning the Militia; "whereby he hoped, the Peace and Safety of the Kingdom "might be fully ſecured to the general ſatisfaction of all Men, "without Violation of his Majeſty's juſt Rights, or prejudice "to the Liberty of the Subject. If this ſhould be thankfully

"receiv'd,

"receiv'd, he said, he should be glad of it; if refused, he "must call God, and all the World, to judge on Whose "part the default was; only he required, if the Bill should "be approv'd of, that if any Corporation should make their "Lawful Rights appear, they might be reserv'd to them. "He said, before he would part from *England*, he would take "all due care to entrust such Persons with such Authority in "his absence, as he should find to be requisite for the Peace "and Safety of the Kingdom, and the happy progress of the "Parliament.

THEY neither before nor after ever receiv'd any Message from his Majesty, that more discomposed them; and so much the more; because that which gave them most Umbrage, could not be publickly and safely avowed by them. For though, to those who had a due reverence to the King's Person, and an impatient desire, that all misunderstandings might be composed, they urged "The hazard, and danger to his Ma- "jesty's Person, in such an Expedition, and the increase of "Jealousies and Distractions, that would ensue in this King- "dom by his Absence; and to others, who from the barba- rity, inhumanity, and unheard of cruelty, exercised by the Rebels in *Ireland* upon the *English* Protestants (of which they every day receiv'd fresh and bleeding evidence) had contracted a great animosity against that whole Nation, and were perswaded that the work of Extirpation was not so dif- ficult as in truth it was; and to the Adventurers, who had dis- bursed great sums of Money, and had digested a full Assu- rance of ample Recompence by Confiscations, and Forfei- tures; "That by this Voyage of the King, a Peace would be in "a short time concluded in that Kingdom, to their great dis- "advantage and damage; yet the true Reasons, which sur- prised and startled them, were, that hereby the managing the War of *Ireland* would be taken out of their hands; and so, instead of having a Nursery of Soldiers of their own, which they might imploy as they saw occasion; and a power of raising what Money they pleased in this Kingdom under that Title, which they might dispose, as they found most fit for their affairs; the King would probably in a short time recover one entire Kingdom to his Obedience, by which he might be able to preserve the Peace of the other two. How- ever, working by several impressions upon several Affections, they found it no difficult thing to perswade, almost an Una- nimous aversion from approving the Journey; they who usually opposed their advice, not enduring to think of stay- ing in *England*, where the power, at least for a time, would be in Them, whose Government, they knew, would be ter- rible when his Majesty should be in *Ireland*. Upon this they

dispatched

dispatched a Magisterial Answer to the King, in which they told him;

The Answer of both Houses to his Majesty's Message of his going in Person into Ireland, Ap. 28. 1642.

"THAT the Lords and Commons in Parliament, had duly "considered the Message, receiv'd from his Majesty, concern- "in his purpose of going into *Ireland* in his own Person to "prosecute the War there, with the bodies of his *English* Sub- "jects, Levied, Transported, and maintain'd at their Charge; "which he was pleased to propound to them, not as a matter "wherein he desired the advice of his Parliament, but as al- "ready firmly Resolv'd on, and forthwith to be put in Exe- "cution, by granting out Commissions for the Levying of two "thousand Foot, and two hundred Horse, for a Guard for his "Person when he should come into that Kingdom; wherein, "they said, they could not but, with all reverence and humi- "lity to his Majesty, observe, that he had declined his Great "Council, the Parliament, and varied from the usual Course "of his Royal Predecessours; that a business of so great Im- "portance concerning the Peace and Safety of all his Subjects, "and wherein they have a special interest, by his Majesty's "promise, and by those great sums, which they had disburs'd, "and for which they stood engaged, should be concluded, and "undertaken without their advice: whereupon, they said, "they held it their duty to declare, that if, at that time, his "Majesty should go into *Ireland*, he would very much en- "danger the safety of his Royal Person, and Kingdoms, and of "all other States professing the Protestant Religion in *Chri- "stendom*, and make way to the execution of that cruel, and "bloody design of the Papists, every where to root out and "destroy the Reform'd Religion; as the *Irish* Papists had al- "ready, in a great part, effected in that Kingdom; and, in "all likelyhood, would quickly be attempted in other places, "if the consideration of the strength, and union of the two "Nations of *England* and *Scotland*, did not much hinder, and "discourage the execution of any such design. And that they "might manifest to his Majesty the danger and misery, which "such a Journey and Enterprise would produce, they pre- "sented to his Majesty the reasons of that their humble opi- "nion and advice;

1. "HIS Royal Person would be subject, not only to the "casualty of War, but to secret Practices and Conspiracies; "especially his Majesty continuing his profession to main- "tain the Protestant Religion in that Kingdom, which the Pa- "pists were generally bound by their vow to extirpate.

2. "IT would exceedingly encourage the Rebels, who "did generally profess and declare, that his Majesty did fa- "vour and allow their proceedings, and that this Insurrection "was undertaken by the Warrant of his Commission; and it

"would

"would make good their expectation of great advantage, by "his Majesty's presence at that time, of so much distraction "in this Kingdom, whereby they might hope the two Houses "of Parliament would be disabled to supply the War there, "especially there appearing less necessity of his Majesty's Jour- "ney at that time, by reason of the manifold Successes, which "God had given against them.

3. "It would much hinder, and impair the means whereby "the War was to be Supported, and increase the Charge of "it, and in both these respects make it more insupportable to "the Subject; and this, they said, they could confidently af- "firm; because many of the Adventurers, who had already "subscribed, did, upon the knowledge of his Majesty's inten- "tion, declare their Resolution not to pay in their Money; "and others, very willing to have subscribed, do Now pro- "fess the contrary.

4. "His Majesty's absence must necessarily very much in- "terrupt the proceedings of Parliament; and deprive his "Subjects of the benefit of those further Acts of Grace and "Justice, which they should humbly expect from his Majesty "for the establishing a perfect Union, and mutual Confi- "dence between his Majesty and his People, and procuring "and confirming the prosperity, and happiness of both.

5. "It would exceedingly increase the Fears and Jealou- "sies of his People; and render their doubts more probable, "of some Force intended, by some evil Counsels near his "Majesty, in opposition of the Parliament, and favour of the "Malignant Party of this Kingdom.

6. "It would bereave his Parliament of that advantage, "whereby they were induced to undertake that War, upon "his Majesty's promise that it should be managed by Their "advice; which could not be done, if his Majesty, contrary "to their Counsels, should undertake to order, and govern it "in his own Person.

"Upon which, and divers other reasons, they said, they "had Resolved, by the full and concurrent Agreement of "both Houses, that they could not, with discharge of their "duty, consent to any Levies or raising of Soldiers to be "made by his Majesty, for that his intended expedition into "*Ireland*; or to the payment of any Army, or Soldiers there, "but such as should be imployed, and governed according to "their advice, and direction: and that, if such Levies should "be made by any Commission of his Majesty's, not agreed "to by both Houses of Parliament, they should be forced to "interpret the same to be raised to the Terrour of his Peo- "ple, and Disturbance of the Publick Peace; and did hold "themselves bound, by the Laws of the Kingdom, to

"apply

"apply the Authority of Parliament to suppress the same.

"And, they said, they did further most humbly declare, "that if his Majesty should by ill Counsel be perswaded to go, "contrary to that advice of his Parliament (which they "hoped his Majesty would not) they did not, in that case, hold "themselves bound to submit to any Commissioners, which "his Majesty should choose; but did Resolve to Preserve "and govern the Kingdom, by the Counsel and Advice of "Parliament, for his Majesty and his Posterity, according "to their Allegiance, and the Law of the Land: wherefore, "they did most humbly pray, and advise his Majesty, to de- "sist from that his intended passage into *Ireland*, and from "all preparation of men and Arms tending thereunto; and "to leave the managing of that War to his Parliament ac- "cording to his promise made unto them, and his Commis- "sion granted under his Great Seal of *England*, by advice of "both Houses; in prosecution whereof, by God's blessing, "they had already made a prosperous entrance, by many de- "feats of the Rebels, whereby they were much weakned and "disheartned; and had no probable means of subsistence, if "the proceedings of the two Houses were not interrupted by "that interposition of his Majesty's Journey: but they ho- "ped, upon good grounds, that, within a short time, without "hazard of his Person, and so much dangerous confusion in "his Kingdoms, which must needs ensue, if he should pro- "ceed in that resolution, they should be enabled fully to "vindicate his Majesty's Right, and Authority in that King- "dom; and punish those horrible, outragious cruelties, which "had been committed in the murdering, and spoiling so "many of his Subjects; and to bring that Realm to such a "condition, as might be much to the Advantage of his Ma- "jesty and the Crown, and the Honour of his Government, "and Contentment of his People: for the better and more "speedy effecting whereof, they did again renew their hum- "ble desires of his return to his Parliament; and that he "would please to reject all Counsels, and Apprehensions, "which might any way derogate from the faithfulness, and "Allegiance, which, in truth and sincerity, they had always "born and professed to his Majesty, and should ever make "good, to the uttermost, with their Lives and Fortunes.

To this Petition (the Matter whereof finding a general concurrence, there was the less Debate, and Contradiction upon the Manner of expression) being sent to the King to *York*; and, in the mean time, all preparations being suspended for the necessary relief for *Ireland*, insomuch as with the Votes (which were presently printed) against the King's Journey, there was likewise an Order printed to discourage the

the Adventurers from bringing in their Money; the which, though it had no approbation from either Houſe, and ſeem'd to be angrily interpreted by them, and the Printer was order'd to be found out and puniſhed, yet did wholly ſtop that Service; and by the no-enquiry, or puniſhment of that boldneſs appear'd to be done by deſign) his Majeſty ſpeedily returned this Anſwer.

The King's Reply touching his going into Ireland.

"THAT he was ſo troubled, and aſtoniſhed to find that "unexpected reception, and miſunderſtanding of his Meſſage "concerning his *Iriſh* Journey, that (being ſo much diſap- "pointed of the Approbation, and thanks he looked for to "that Declaration) he had great cauſe to doubt, whether it "were in his power, to ſay, or do any thing, which would "not fall within the like interpretation: but he ſaid, as he "had, in that Meſſage, called God to Witneſs the ſincerity "of the profeſſion of his only ends for the undertaking that "Journey; ſo he muſt Appeal to all his good Subjects, and "the whole World, whether the reaſons alledged againſt that "Journey, were of Weight to ſatisfy his underſtanding; or "the Counſel, preſented to diſſwade him from it, were full of "that Duty, as was like to prevail over his Affections. For "the reſolving of ſo great a buſineſs without the Advice of his "Parliament, he ſaid, he muſt remember them, how often, "by his Meſſage, he made the ſame offer, if They ſhould ad- "viſe him thereunto; to which they never gave him the leaſt "Anſwer; but, in their late Declaration, told him, that they "were not to be ſatisfy'd with Words: ſo that he had reaſon "to conceive, they rather avoided, out of regard to his Per- "ſon, to give him Counſel to run that hazard, than that they "diſapproved the inclination. And, he asked them, what "greater comfort, or ſecurity the Proteſtants of *Chriſtendom* "could receive, than by ſeeing a Proteſtant King venture, and "engage his Perſon for the Defence of that Religion, and "the Suppreſſion of Popery? to which he ſolemnly proteſted, "in that Meſſage, never to grant a Toleration, upon what "pretence ſoever, or any abolition of any of the Laws there "in force againſt the Profeſſors of it. And, he ſaid, when "he conſidered the great calamities, and unheard of cruelties, "his poor Proteſtant Subjects in that Kingdom had under- "gone for the ſpace of near, or full ſix Months; the growth "and increaſe of the ſtrength of thoſe barbarous Rebels; and "the evident probability of forreign ſupplies, if they were "not ſpeedily ſuppreſſed; the very ſlow ſuccours hitherto "ſent them from hence: that the Officers of ſeveral Regi- "ments, who had long time been allowed entertainment "from them for that Service, had not raiſed any ſupply, or "ſuccour for that Kingdom; that many Troops of Horſe had

"long lain near *Cheſter* untranſported; that the Lord Lieute-
"nant of *Ireland*, on whom he relied principally for the con-
"duct, and managing of Affairs there, was ſtill in this King-
"dom, notwithſtanding his Majeſty's earneſtneſs expreſſed,
"that he ſhould repair to his Command: and when he con-
"ſider'd the many and great ſcandals raiſed upon himſelf by
"report of the Rebels, and not ſufficiently diſcountenanced
"Here, notwithſtanding ſo many profeſſions of his Majeſty;
"and had ſeen a Book, lately printed by the Order of the
"Houſe of Commons, entituled a Remonſtrance of divers re-
"markable paſſages concerning the Church and Kingdom of
"*Ireland*, wherein ſome Examinations were ſet down (how
"improbable or impoſſible ſoever) which might make an im-
"preſſion in the minds of many of his weak Subjects: And
"laſtly, when he had duely weighed the diſhonour that would
"perpetually lie upon this Kingdom, if full and ſpeedy relief
"were not diſpatched thither; his Majeſty could not think
"of a better way to diſcharge his Duty to Almighty God, for
"the defence of the true Proteſtant Religion, or to manifeſt
"his Affection to his three Kingdoms, for their preſervation,
"than by engaging his Perſon in that expedition, as many
"of his Royal Progenitors had done, even in Forreign
"Parts, upon cauſes of leſs importance and piety, with
"great Honour to themſelves, and Advantage to this King-
"dom. And therefore, he expected at leaſt Thanks for ſuch
"his inclination.

"For the danger to his Perſon, he ſaid, He conceived it
"neceſſary, and worthy of a King, to adventure his Life to
"preſerve his Kingdoms; neither could it be imagined that
"he would ſit ſtill, and ſuffer his Kingdoms to be loſt, and
"his good Proteſtant Subjects to be Maſſacr'd, without ex-
"poſing his own Perſon to the utmoſt hazard for their relief
"and preſervation; his life, when it was moſt pleaſant, being
"nothing ſo precious to him, as it was, and ſhould be, to go-
"vern and preſerve his People with Honour, and Juſtice.

"For an encouragement to the Rebels, becauſe of the
"Reports they raiſed, he ſaid, He could not conceive, that the
"Rebels were capable of a greater terrour, than by the Pre-
"ſence of their Lawful King, in the head of an Army, to
"chaſtiſe them. Beſides, it would be an unſpeakable advan-
"tage to them, if any report of Theirs could hinder him
"from doing any thing, which were fit for him to do, if ſuch
"report were not raiſed: that would quickly teach them, in
"this Jealous age, to prevent, by ſuch reports, any other Per-
"ſons coming againſt them, whom they had no mind ſhould
"be imploy'd.

"He told them, that he marvelled, that the Adventurers,
"whoſe

"whose advantage was a principal motive (next the reasons "before mention'd) to him, should so much mistake his pur- "pose; whose interest he conceived must be much improved "by the expedition he hoped, by God's blessing, to use "in that Service; that being the most probable way for the "speedy Conquest of the Rebels, their Lands were sufficient- "ently secured by Act of Parliament.

"He told them, he thought himself not kindly used, that "the addition of so few Men to their Levies (for a Guard to "his Person in *Ireland*) should be thought fit for their re- "fusal; and much more, that having used so many cautions "in that Message, both in the smallness of the number; in "his having raised none, until their Answer; in their being "to be raised only near the place of shipping; in their be- "ing There to be armed, and that not till they were ready "to be shipp'd; in the provision, by the Oaths, that none "of them should be Papists (all which were sufficient to de- "stroy all grounds of Jealousy of any Force intended by them "in opposition to the Parliament, or favour to any Malignant "Party) any suspicion should, notwithstanding, be grounded "upon it.

"Neither, he said, could it be understood, that when "he recommended the managing of that War to Them, he "intended to exclude himself, or not to be concerned in "their Counsels, that if he found any Expedient (which, in "his conscience and understanding, he thought necessary for "that great work) he might not put it in practice. He told "them, he looked upon them as his great Council, whose ad- "vice he always had, and would, with great regard and "deliberation, weigh and consider: but he looked upon him- "self as neither deprived of his Understanding, or divested "of any Right he had, if there were no Parliament sitting. "He said, he called them together, by his own Writ and Au- "thority (without which they could not have met) to give "him faithful Counsel about his Great Affairs; but he re- "signed not up his own Interest, and Freedom; he never "subjected himself to their absolute Determination; He had "always weighed their Counsels, as proceeding from a Body "intrusted by him; and when he had dissented from them, he "had returned them the reasons, which had prevailed with "his conscience and understanding, with that Candour, which "a Prince should use towards his Subjects; and that Affe- "ction, which a Father could express to his Children. What "application had been used to rectify his Understanding by "Reasons, or what Motives had been given to perswade his "Affections, he would leave all the world to Judge. And "then, he said, he must tell them, howsoever a Major part

"might bind Them in matter of opinion, he held Himself "(and he was sure the Law and constitution of the King- "dom had always held the same) as free to dissent, till his "Reason was convinced, for the General Good, as if they "had delivered No opinion.

"For his Journey it self, he told them the circumstances "of their Petition were such, as he knew not well what An- "swer to return, or whether he were best to give Any; "that part which pretended to carry Reason with it, did no "way satisfy him; the Other, which was rather Reprehension "and Menace, than Advice, could not stagger him. His "Answer therefore was, that he should be very glad to find "the work of *Ireland* so easy, as they seem'd to think it; "which did not so appear by any thing known to him, when "he sent his Message: and though he would never refuse, or "be unwilling, to venture his Person, for the Good and Safe- "ty of his People, he was not so weary of his life, as to ha- "zard it Impertinently; and therefore, since they seem'd to "have received Advertisements of some late, and great suc- "cesses in that Kingdom, he would stay some time to see the "event of those, and not pursue his resolution till he had "given them a second notice: but, if he found the miserable "condition of his poor Subjects of that Kingdom were not "speedily relieved, he would, with God's Assistance, visit "them with such Succours, as his particular credit and in- "terest could supply him with, if They refused to joyn with "him. And he doubted not but the Levies he should make (in "which he would observe punctually the former, and all other "cautions, as might best prevent all Fears and Jealousies; and "to use no Power but what was Legal) would be so much "to the satisfaction of his Subjects, as no person would dare "presume to resist his Commands; and if they should, at their "Peril be it. In the mean time, he hoped his forwardness, "so remarkable to that Service, should be notorious to all the "world; and that all scandals, laid on him in that business, "should be clearly wiped away.

"He told them, he had been so careful that his Journey "into *Ireland* should not interrupt the proceedings of Par- "liament, nor deprive his Subjects of any Acts of Justice, or "further Acts of Grace for the real benefit of his People, that "he had made a free offer of leaving such power behind, as "should not only be necessary for the Peace and Safety of "the Kingdom, but fully provide for the happy progress of "the Parliament: and therefore he could not but wonder, "since such power had been always left here, by Commission, "for the Government of this Kingdom, when his Progeni- "tors had been out of the same, during the sitting of Parlia-

"ments;

"ments; and since themselves desired that such a power might "be left here by his Majesty, at his last going into *Scotland*; "what Law of the Land they had now found to dispense with "them from submitting to such Authority, legally derived "from him, in his absence; and to enable them to govern "the Kingdom by their own meer Authority.

"For his return to *London*, he said, he had given them "so full Answers in his late Declaration, and Answers, that "he knew not what to add to, if they would not provide for "his Security with them, nor agree to remove to another "place, where there might not be the same danger to his Ma-"jesty. He told them, He expected, that (since he had been "so particular in the causes and grounds of his Fears) they "should have sent him word, that they had published such "Declarations against future Tumults and unlawful Assem-"blies, and taken such Courses for the suppressing Seditious "Pamphlets and Sermons, that his Fears of that kind might "be laid aside, before they should press his return.

"To conclude, he told them, He could wish, that they "would, with the same strictness and severity, weigh and exa-"mine their Messages, and Expressions to him, as they did "those they received from him. For he was very confi-"dent, that if they examined his Rights and Privileges, by "what his Predecessors had enjoy'd; and their own Addres-"ses, by the usual courses observed by their Ancestors; they "would find many Expressions in that Petition, warranted only "by their own Authority; which indeed he forbore to take "notice of, or to give Answer to, lest he should be tempted, "in a just indignation, to express a greater passion, than he "was yet willing to put on. God in his good time, he hoped, "would so inform the hearts of all his Subjects, that he should "recover from the mischief, and danger of that distemper; "on whose good pleasure, he said, he would wait with all Pa-"tience, and Humility.

From this time the purpose was never resumed of his Majesty's Personal Expedition into *Ireland*, and so they were freed from that apprehension. The truth is, that Counsel for his Majesty's Journey into *Ireland* was very suddainly taken, and Communicated to very few, without consideration of the objections, that would naturally arise against it; and was rather resolved as a probable Stratagem, to compose the two Houses to a better Temper and Sobriety, upon the Apprehension of the King's apsence from them, and the inconveniences that might thence ensue, than sufficiently consider'd and digested for Execution. For none were more violent against it than they who served the King most faithfully in the Houses; who, in the King's absence, and after such a

Grant of the Militia, as was then offer'd, looked upon themselves as sacrificed to the Pride and Fury of those, whose inclinations, and temper had begot the Confusions they complained of. But if it had been so duely weighed and consulted, and Men so disposed, that it might have been executed, and the King had taken a fit Council, and Retinue about him, it would at that time, have been no hard matter speedily to have reduced *Ireland*: and by the Reputation, and Authority of that, the other two Kingdoms might have been contained within their proper bounds. But, as it fell out, the Overture proved disadvantageous to the King, and gave the other Party new cause of Triumph, that they had plainly Threaten'd him out of what he pretended to have firmly resolved to do; which disadvantage was improved by the other Proposition, that attended it, concerning the Militia. For the Bill, sent by the King upon that Argument, brought the business again into Debate; and though nothing was concluded upon it, the King was a loser by the Proposition, though not so much as he fear'd he should have been, when he saw his Journey into *Ireland* desperate; upon the supposition of which, he had only made that tender.

THE Bill sent by the King, and preferred to the House of Peers, by the Atturney General, granted the Militia, for one year, to the Persons first nominated by the Houses in their Ordinances to his Majesty; and made those Persons, in the Execution of that Trust, subject to the Authority of his Majesty, and the two Houses joyntly, whilst his Majesty was within the Kingdom; and, in his absence, of the two Houses only. What alterations, and amendments they made in it before they returned it again for the Royal assent, will best appear by the King's Answer, which he sent to them at the time of his refusal to pass it: which was,

His Majesty's Message to both Houses Apr. 28. 1642. concerning his refusal to pass the Bill for the Militia.

"THAT he had, with great deliberation and patience, "weighed and consider'd (as it concern'd him much to weigh "the consequences of every Law before he passed it) their "Bill lately sent to him for the settling the Militia; and though "it had not been usual to give any reason for the refusal to "pass any Bill, it being absolutely in his power to pass, or "not to pass any Act sent to him, if he conceived it prejudi- "cial to himself, or inconvenient to his Subjects, for whom "he was trusted, and must one day give an account; yet, in "that business of the Militia, which, being misunderstood "amongst his good Subjects, had been used as an Argument, "as if he were not vigilant enough for the Publick Safety, "and lest he should be thought less Constant in his Resolu- "tions, and that Bill to be the same he had sent to them, he "thought fit to give them, and all the World, particular sa- "tisfaction,

"tisfaction, why he could not, ought not, muſt not paſs "that Bill, being the firſt publick Bill he had refuſed this "Parliament; and therefore, he told them, he muſt complain, "that having expreſſed himſelf ſo clearly and particularly to "them in that point, they ſhould preſs any thing upon him, "which they could not but foreſee he muſt refuſe; except he "departed from thoſe Reſolutions, grounded upon ſo much "reaſon, he had ſo earneſtly before acquainted them with, "and againſt which they had not given one Argument to ſa-"tisfy his judgment.

"HE told them, He was pleaſed, they had declined the "unwarrantable courſe of their Ordinance (to the which, he "was confident, his good Subjects would never have yielded "their conſent) and choſen that only right way of impoſing, "upon the People, which he would have allowed but for the "Reaſons following:

"HE ſaid, He had refuſed to conſent to their Ordinance, "as for other things, ſo for that the power was put into the "Perſons nominated therein by direction of both Houſes of "Parliament, excluding his Majeſty from any power in the "diſpoſition, or execution of it together with them: He had "then adviſed them, for many Reaſons, that a Bill ſhould be "prepared; and after in his Anſwer of the 26th of *March* to "the Petition of both Houſes, he had told them, if ſuch a "Bill ſhould be prepared with that due regard to his Majeſty, "and care of his People, in the limitation of the power, and "other circumſtances, he ſhould recede from nothing he "formerly expreſſed.

"WHAT paſſed (enough to have diſcouraged him from "being further Solicitous in that Argument) after his full, "and gracious Anſwers, he was content to forget. When "he reſolv'd on his Journey into *Ireland*, ſo that by reaſon "of his abſence, there might be no want of ſettling that "power; beſides complying with their Fears; he ſent, toge-"ther with a Meſſage of that his purpoſe, a Bill for ſettling "the power for a Year; hoping in that time to return to "them, and being ſure that, in much leſs time, they might "do the buſineſs, for which at firſt they ſeem'd to deſire this; "which was, that they might ſecurely conſider his Meſſage "of the 20th of *January* laſt. By that Bill, which he ſent, he "conſented to thoſe Names they propoſed in their Ordinance, "and to the limitation of the power; provided, that himſelf "ſhould not be able to execute any thing but by their advice; "and, when he ſhould be out of the Kingdom, the ſole Exe-"cution to be in them; with many other things, of ſo Arbi-"trary, and uncircumſcribed a power, that he ſhould not have "conſented to, but with reference to the abſence of his own

"Person out of the Kingdom; and thought it the more sufferable, in respect the time was but for a Year. Whether that "Bill, they had sent to him to pass, were the same, the World "would judge.

"He said, They had, by that Bill tender'd to his Majesty, "without taking notice of him, put the Power of the whole "Kingdom, the Life and Liberties of the Subjects of all degrees, and qualities, into the hands of particular Men, for "two Years. He asked them, if they could imagine he would "trust such an Absolute Power in the hands of particular "Persons, which he had refused to commit to both Houses "of Parliament? Nay, if the Power it self were not too Absolute, too Unlimited, to be committed into any private "Hands? Whether Sr *John Hotham's* high Insolence shewed "him not, what he might expect from an Exorbitant Legal "Power, when he, by a Power not warrantable by Law, durst "venture upon a Treasonable disobedience? But his Majesty "would willingly know, and indeed such an account in ordinary Civility, he said, he might have expected, why he "was, by that Act, absolutely Excluded from any Power, or "Authority, in the Execution of the Militia. He said, sure "their Fears and Jealousies were not of such a Nature, as "were capable of no other Remedy, than by leaving him no "Power in a point of the greatest Importance; in which God, "and the Law, had trusted him Solely, and which he had "been contented to Share with them by his own Bill, by "putting it, and a Greater, into the hands of particular Subjects. He asked them, what all Christian Princes would "think of him, after he had passed such a Bill? How they "would value his Soveraignty? And yet, he said, Sure His "Reputation with Forreign Princes was some ground of their "Security. Nay, he was confident, by that time they had "throughly consider'd the possible consequence of that Bill, "upon Themselves, and the rest of his good Subjects, they "would all give him Thanks for not consenting to it; finding their Condition, if it should have passed, would not "have been so pleasing to them. He told them, he hoped "that Animadversion would be no breach of their Privileges. "In that throng of business and distemper of Affections, it "was possible, second thoughts might present somewhat to "their Considerations, which escaped them before.

"He remember'd them, that he had passed a Bill, this Parliament, at their entreaty, concerning the Captives of *Algiers*, and waved many objections of his own to the contrary, upon information that the business had been many "Months consider'd by them; whether it proved suitable to "their intentions, or whether they had not, by some private "Orders,

"Order ſuſpended that Act of Parliament upon view of the "miſtakes, themſelves beſt new; as likewiſe, what other "great alterations they had made upon other Bills, paſſed this "Seſſion. He told them, he could not paſs over the putting "their Names out of that Bill, whom before they had re- "commended to him in their Ordinance, not thinking fit, it "ſeem'd, to truſt thoſe who would obey no Guide but the "Law of the Land (he imagined they would not wiſh he "ſhould in his eſtimation of others follow that their Rule) "and the leaving out, by ſpecial proviſion, the preſent Lord "Mayor of *London*, as a Perſon in their diſfavour; whereas "he ſaid, he muſt tell them, his demeanour had been ſuch "that the City, and the whole Kingdom, was beholding to "him for his example.

"To conclude, he ſaid, he did not find himſelf poſſeſſed "of ſuch an exceſs of Power, that it was fit to transfer, or con- "ſent it ſhould be in other Perſons, as was directed by that "Bill; and therefore, he ſhould rely upon that Royal Right "and Juriſdiction, which God, and the Law had given him, "for the ſuppreſſing of Rebellion, and reſiſting Forreign In- "vaſion; which had preſerved the Kingdom in the time of "all his Anceſtors, and which, he doubted not, but he ſhould "be able to execute. And, not more for his own Honour "and Right, than for the Liberty and Safety of his People, he "could not conſent to paſs that Bill.

THOUGH no Sober Man could deny the reaſonableneſs of that Anſwer, and that there was indeed ſo great a difference between the Bill ſent by his Majeſty, and that preſented to him from the two Houſes, that it could not ſoberly be imagined he would conſent to it; yet, it had been better for his Majeſty, that the firſt Overture from himſelf had never been made; it giving new life, ſpirit, and hopes to them; and they making the People believe (who underſtood not the difference, and knew not that the King's Pleaſure, ſignify'd by both Houſes of Parliament, was in effect the Pleaſure of both Houſes without the King) that his Majeſty now refuſed to conſent to what himſelf had offer'd, and propoſed; whilſt his own Party (for ſo thoſe begun now to be called, who preſerv'd their Duty, and Allegiance intire) was as much troubled to find ſo Soveraign a Power of the Crown offer'd to be parted with to the two Houſes, as was tender'd to them by the King's own Bill; and that it was poſſible for his Majeſty to recede from his firmeſt Reſolves, even in a point, that would not naturally admit of the leaſt diviſion, or diminution.

THE King, being well pleaſed that he had gone through one of his Reſolutions, and not much troubled at the anger it

it had produced, and finding his Court full of Persons of Quality of the Country, who made all expressions of Affection and Duty, which they thought would be most acceptable to him, resolv'd to undertake another Enterprise, which was of more importance, and which in truth was the sole motive of his Journey into those parts. The great Magazine of Arms and Ammunition, which was left upon the disbanding the Army, remained still at *Hull*, and was a nobler proportion than remained in the Tower of *London*, or all other his Majesty's Stores; and there had been formerly a purpose to have secured the same by the Earl of *New-Castle*'s Presence there, which had been disappointed, as hath been before mention'd, and Sr *John Hotham* sent thither to look to it: who was now there only with one of the Companies of the Train'd-bands; and so the King resolv'd that he would Himself make a Journey thither, with his own usual Train; and being there, that he would stay there, till he had secured the place to him. This was his purpose; which he concealed to that degree, that very few about him knew any thing of it.

Assoon as it was known that his Majesty meant to reside in *York*, it was easily suspected, that he had an Eye upon that Magazine; and therefore they made an Order in both Houses, "That the Magazine should be remov'd from *Hull* to "the Tower; and Ships were making ready for the Transportation; so that his Majesty could no longer defer the execution of what he design'd. And, being perswaded, by some who believ'd themselves, that if he went thither, it would neither be in Sr *John Hotham*'s Will, nor his Power, to keep him out of that Town; and that, being possessed of so considerable a Post, and of the Magazine there, he should find a better temper towards a Modest and Dutiful Treaty; his Majesty took the opportunity of a Petition presented to him by the Gentlemen of *York-shire* (who in truth were much troubled at the Order for removing the Magazine from *Hull*; and were ready to appear in any thing for his Service) in which, "They desired him to cast his Eye, and "Thoughts upon the safety of his own Person, and his Princely "Issue, and that whole County, a great means whereof, "they said, did consist in the Arms, and Ammunition at "*Hull*, placed there by his Princely care and charge; and "since, upon general apprehensions of dangers from Forreign "Parts, thought fit to be continued: and they did very ear- "nestly beseech him, that he would take such course, that it "might still remain there, for the better securing those, and "the rest of the Northern parts. Hereupon, he resolv'd to go thither himself; and, the night before; he sent his Son the Duke of *York*, who was lately arrived from *Richmond*, accom-

accompanied with the Prince Elector, thither, with some other Persons of Honour; who knew no more, than that it was a Journey given to the Pleasure, and Curiosity of the Duke. Sr *John Hotham* receiv'd them with that Duty, and Civility that became him. The next morning early, the King took Horse from *York*; and attended with two or three hundred of his Servants, and Gentlemen of the Country, rode thither; and, when he came within a Mile of the town, sent a Gentleman to Sr *John Hotham*, "To let him know that the King would "that day Dine with him; with which he was strangely surprised, or seem'd to be so.

THE Man was of a fearful nature, and perplexed understanding, and could better resolve upon deliberation than on a suddain; and many were of opinion, that if he had been prepared dextrously before hand, and in confidence, he would have conformed to the King's Pleasure; for he was Master of a Noble Fortune in Land, and Rich in Money; of a very ancient Family, and well Allied; his Affections to the Government very good; and no Man less desired to see the Nation involv'd in a Civil War, than He: and, when he accepted this Imployment from the Parliament, he never imagined it would engage him in Rebellion; but believed, that the King would find it necessary to comply with the Advice of his two Houses; and that the preserving that Magazine from being possessed by him, would likewise prevent any possible rupture into Arms. He was now in great Confusion; and calling some of the chief Magistrates, and other Officers together to Consult, they perswaded him, not to suffer the King to enter into the Town. And his Majesty coming within an hour after his Messenger, found the Gates shut, and the Bridges drawn, and the Walls Mann'd; all things being in a readiness for the reception of an Enemy. Sr *John Hotham* himself from the Walls, with several professions of Duty, and many expressions of Fear, telling his Majesty "That he durst not open "the Gates, being trusted by the Parliament; the King told him, "That he believ'd he had no Order from the Parlia- "ment to shut the Gates against him, or to keep him out of "the Town. He replied, "That his Train was so great, that "if it were admitted, he should not be able to give a good "account of the Town. Whereupon the King offer'd "To "enter with twenty Horse only, and that the rest should stay "without. The which the Other refusing, the King desired him "To come to him, that he might confer with him, upon "his Princely word of safety, and liberty to return. And when he excused himself likewise from that, his Majesty told him, "That as this Act of his was unparalle'd, so it would "produce some notable Effect; that it was not possible for "him

"him to ſit down by ſuch an Indignity, but that he would "immediately Proclaim him Traytor, and proceed againſt "him as ſuch; that this Diſobedience of his would probably "bring many Miſeries upon the Kingdom, and much loſs of "Blood; all which might be prevented, if he perform'd the "Duty of a Subject; and therefore adviſed him to think "ſadly of it, and to prevent the neceſſary growth of ſo many "Calamities, which muſt lie all upon his Conſcience. The Gentleman, with much diſtraction in his looks, talked confuſedly of the "Truſt he had from the Parliament; then fell on his knees, and wiſhed, "That God would bring Confuſion "upon Him, and His, if he were not a Loyal and Faithful "Subject to his Majeſty; but, in concluſion, plainly denied to ſuffer his Majeſty to come into the Town. Whereupon, the King cauſed him immediately to be proclaim'd a Traytor; which the other receiv'd with ſome expreſſions of Undutifulneſs and Contempt. And ſo the King, after the Duke of *York*, and the Prince Elector, with their Retinue, were come out of the Town, where they were kept ſome hours, was forced to retire that night to *Beverly*, four Miles from that place; and the next day returned to *York*, full of Trouble, and indignation for the Affront he had received; which he foreſaw would produce a very great deal of Miſchief.

The King's Meſſage to the two Houſes concerning Hull.

THE King ſent an Expreſs to the two Houſes with a Meſſage, declaring what had paſſed; and "That Sr *John Hotham* "had juſtify'd his Treaſon and Diſloyalty, by pretence of an "Order and Truſt from Them; which as He could not pro-"duce, ſo, his Majeſty was confident, They would not "own; but would be highly ſenſible of the Scandal he had "laid upon Them, as well as of his Diſloyalty to his Majeſty, "and therefore he demanded Juſtice of them againſt him, "according to Law. The Houſes had heard before of the King's going out of *York* thither, and were in terrible apprehenſion that he had poſſeſſed himſelf of the Town; and that Sr *John Hotham* (for they were not confident of him, as of a Man of their own Faith) by Promiſes or Menances, had given up the place to Him; and, with this apprehenſion, they were exceedingly dejected; but when they heard the truth, and found that *Hull* was ſtill in their hands, they were equally exalted, magnifying their truſty Governours Faith, and Fidelity againſt the King. In the mean time, the Gentlemen of the North expreſſed a marvellous ſenſe and paſſion on his Majeſty's behalf; and offer'd to raiſe the Force of the County to take the Town by Force. But the King choſe, for many Reaſons, to ſend again to the Houſes another Meſſage, in which he told them,

"THAT

"THAT He was so much concern'd in the undutiful Affront (an Indignity all his good Subjects must disdain in his behalf) he had received from Sr *John Hotham* at *Hull*, that he was impatient till he received Justice from them; and was compelled to call again for an Answer, being confident, however they had been so careful, though without his consent, to put a Garrison into that his Town, to secure it, and his Magazine against any Attempt of the Papists, that they never intended to dispose, and maintain it against Him, their Soveraign. Therefore, he required them forthwith (for the business would admit no delay) to take some Speedy course, that his said Town and Magazine might be immediately delivered up unto him; and that such severe exemplary proceedings should be against those Persons, who had offer'd that insupportable Affront and Injury to him, as by the Law was provided; and, till that should be done, he would intend no business whatsoever, other than the business of *Ireland*. For, he said, if he were brought into a condition so much worse than any of his Subjects, that, whilst They all enjoyed their Privileges, and might not have their Possessions disturbed, or their Titles questioned, He only might be spoiled, thrown out of his Towns, and his Goods taken from him, it was time to examine how he had lost those Privileges; and to try all possible ways, by the help of God, the Law of the Land, and the Affection of his good Subjects to recover them, and to vindicate himself from those Injuries; and, if he should miscarry therein, he should be the first Prince of this Kingdom, which had done so, having no other end but to defend the true Protestant Religion, the Law of the Land, and the liberty of the Subject; and he desired God so to deal with him, as he continued in those Resolutions.

His Majesty's second Message to the two Houses concerning Hull.

INSTEAD of any Answer to his Majesty upon these two Messages, or sadly considering how this breach might be made up, they immediately publish (together with a Declaration of their former jealousies of the Papists; of the Malignant Party; of the Lord *Digby*'s Letter intercepted; of the Earl of *New-Castle*'s being sent thither, upon which they had first sent down a Governour, and put a Garrison into *Hull*) several Votes and Resolutions, by which they Declared,

"THAT Sr *John Hotham* had done nothing but in obedience to the Command of both Houses of Parliament, and that the Declaring of him a Traytor, being a Member of the House of Commons, was a high breach of the Privilege of Parliament, and being without due process of Law, was against the Liberty of the Subject, and against the Law of the Land.

AND

AND hearing at the same time, that a Letter coming from *Hull* to them the night after the King's being there, had been intercepted by some of his Majesty's Servants, they declared "That all such intercepting of any Letters sent to Them was "a high breach of the Privilege of Parliament, which by the "Laws of the Kingdom, and the Protestation, they were "bound to defend with their Lives, and their Fortunes, and "to bring the Violator thereof to condign Punishment. Then they order'd that the Sheriffs, and Justices of the Peace of the Counties of *York*, and *Lincoln*, and all others his Majesty's Officers, should suppress all Forces, that should be raised or gathered together in those Counties, either to force the Town of *Hull*, or stop the passages to, and from the same, or in any other way to disturb the Peace of the Kingdom. All which Votes, Orders, and Declarations, being printed, and diligently dispersed throughout the Kingdom before any Address made to his Majesty in Answer of his Messages, and coming to his View, the King published an Answer to those Votes and Declarations, in which he said:

His Majesty's Answer to the Declarations, and Votes concerning Hull.

"SINCE his gracious Messages to both Houses of Parliament, demanding Justice for the high and unheard of Affront offer'd unto him, at the Gates of *Hull*, by Sr *John* "*Hotham*, were not thought worthy of an Answer; but that "instead thereof, they had thought fit, by their printed Votes, "to own and avow that unparallel'd Act to be done in obe- "bience to the Command of both Houses of Parliament "(though at that time he could produce no such Command) "and with other Resolutions against his proceedings there, "to publish a Declaration concerning that business, as an Ap- "peal to the People, and as if their intercourse with his Ma- "jesty, and for his satisfaction, were now to no more pur- "pose; though he knew that Course of theirs to be very "unsuitable to the modesty, and duty of Former times, and "unwarrantable by any Precedents but what Themselves "had made; yet, he was not unwilling to joyn issue with them "in That way, and to let all the world know, how necessa- "ry, just, and lawful all his Proceedings had been in that "point, and that the Defence of those Proceedings, was the "Defence of the Law of the Land, of the Liberty, and Pro- "perty of the Subject; and that by the same Rule of Justice "which was now offer'd to him, all the Private Interest, and "title of all his good Subjects to all their Lands and Goods, "was confounded and destroyed. He remember'd them, that "Mr *Pym* had said in his Speech against the Earl of *Straf-* "*ford* (which was published by Order of the Commons "House) The Law is the safeguard, the Custody of all pri- "vate Interest; your Honours, your Lives, your Liberties, "and

"and Eſtates are all in the keeping of the Law; without this "every Man hath a like Right to any thing. And he ſaid, "he would fain be Anſwer'd what Title any Subject of his "Kingdom had to His Houſe and Land, that He had not to "his Town of *Hull*? Or what right any Subject had to his Mo- "ney, Plate, or Jewels, that his Majeſty had not to his Ma- "gazine, and Munition there? If he had ever ſuch a Title, "he ſaid he would know, when he Loſt it? And if that Ma- "gazine and Munition, bought with his own money, were "ever His, when and how that Property went out of Him? "He very well knew the great and unlimited power of a "Parliament; but he knew as well, that it was only in that "ſenſe, as He was a Part of that Parliament; without Him, "and againſt His conſent, the Votes of either or both Houſes "together, muſt not, could not, ſhould not (if he could "help it, for his Subjects ſake, as well as his own) forbid any "thing that was enjoyn'd by the Law, or enjoyn any thing "that was forbidden by the Law. But in any ſuch altera- "tion, which might be for the Peace, and Happineſs of the "Kingdom, he had not, ſhould not refuſe, to conſent. And "he doubted not, but that all his good Subjects would eaſily, "diſcern, in what a miſerable Inſecurity and Confuſion, they "muſt neceſſarily and inevitably be, if Deſcents might be al- "ter'd; Purchaſes avoided; Aſſurances and Conveyances can- "celled; the Soveraign Legal Authority deſpiſed, and re- "ſiſted by Votes, or Orders of Either, or both Houſes. And "this, he ſaid, he was ſure, was his Caſe at *Hull*; and as it "was His this day, by the ſame Rule, it might be Theirs to "Morrow.

"AGAINST any deſperate Deſign of the Papiſts, of which "they diſcourſed ſo much, he had ſufficiently expreſſed his "Zeal and Intentions; and ſhould be as forward to adven- "ture his own Life, and Fortune, to oppoſe any ſuch deſigns "as the meaneſt Subject in his Kingdoms.

"FOR the Malignant Party, he ſaid, as the Law had not, "to his knowledge, defined their condition, ſo neither Houſe "had Preſented them to his Majeſty, under ſuch a Notion, "as he might well underſtand, whom they intended; and he "ſhould therefore only enquire after, and avoid the Malignant "Party, under the Character of Perſons diſaffected to the "Peace, and Government of the Kingdom, and ſuch who, "neglecting and deſpiſing the Law of the Land, had given them- "ſelves other Rules to walk by, and ſo diſpenſed with their "Obedience to Authority; of thoſe Perſons, as Deſtructive "to the Common-wealth, he ſhould take all poſſible caution.

"WHY any Letters intercepted from the Lord *Digby*, "wherein He mention'd a retreat to a place of Safety, ſhould

"hinder

"hinder him from visiting his own Fort, and how he had "oppos'd any ways of Accommodation with his Parliament, "and what Ways, and Overtures had been offer'd in any way, "or like any desire of such Accommodation; or whether his "Message of the twentieth of *January* last, so often in vain "press'd by him, had not sufficiently express'd his earnest de-"sire of it, he said, all the world should judge; neither was "it in the power of any Persons to incline him to take Arms "against his Parliament, and his good Subjects, and misе-"rably to embroil the Kingdom in Civil Wars. He had given "sufficient Evidence to the world how much his Affections "abhorred, and how much his heart did bleed at, the appre-"hension of a Civil War. And, he said, God and the World "must judge, if his Care and Industry were not, only to de-"fend and protect the Liberty of the Subject, the Law of the "Kingdom, his own just Rights (part of that Law) and his "Honour much more precious than his Life: and if, in op-"position to these, any Civil War should arise, upon Whose "account the Blood and Destruction that must follow, must "be cast: God, and his own Conscience, told him, that He "was clear.

"For Captain *Leg's* being sent heretofore to *Hull*, or for "the Earl of *New-Castle* being sent thither by his Warrant "and Authority, he said, he had asked a question long ago, "in his Answer to both Houses concerning the Magazine at "*Hull*, which, he had cause to think, was not easy to be An-"swer'd; Why the general Rumour of the design of Papists, "in the Northern Parts, should not be thought sufficient "ground for his Majesty to put such a Person of Honour, "Fortune, and unblemished Reputation, as the Earl of *New-*"*Castle* was known to be, into a Town and Fort of his own, "where his own Magazine lay; and yet the same Rumour "be warrant enough to commit the same Town and Fort, "without his consent, to the hands of S^r *John Hotham*, with "such a power as was now too well known, and understood? "How his refusal to have that Magazine remov'd, upon the "Petition of both Houses, could give any advantage against "him, to have it taken from him, and whether it was a Re-"fusal, all men would easily understand, who read his An-"swer to that Petition; to which it had not yet been thought "fit, to make any Reply.

"For the Condition of those Persons, who presented the "Petition to him at *York* (whom that Declaration call'd some "few ill Affected Persons about the City of *York*) to con-"tinue the Magazine at *Hull*; he said, he made no doubt, "but that Petition would appear to be attested, both in Num-"ber, and Weight, by Persons of Honour and Integrity, and

"much

"much more converſant with the Affections of the whole "Country, than moſt of thoſe Petitions, which had been re-"ceiv'd with ſo much Conſent, and Approbation. And for "the Preſumption of interpoſing Their advice, his Majeſty "the more wonder'd at that exception, when ſuch encourage-"ment had been given, and Thanks declar'd to Multitudes "of mean, unknown People, Apprentices, and Porters who "had accompanied Petitions of very ſtrange Natures.

"For the manner of his going to *Hull*, he ſaid, He had "clearly ſet forth the ſame, in his Meſſage to both Houſes "of that buſineſs; and for any Intelligence given to Sr *John* "*Hotham* of an intention to deprive Him of his Life, as he "knew there was no ſuch intention in him, having given "him all poſſible Aſſurance of the ſame, at his being there, "ſo he was confident, no ſuch Intelligence was given, or if "it were, it was by ſome Villian, who had nothing but Ma-"lice, or Deſign to fright him from his due Obedience; and "Sr *John Hotham* had all the reaſon to aſſure himſelf, that "his Life would be in much more danger by refuſing to ad-"mit his King into his own Town and Fort, than by yield-"ing him that Obedience, which he ow'd by his Oaths of "Allegiance and Supremacy, and the Proteſtation, which he "knew was due and warrantable, by the Laws of the Land. "For the Number of his Attendants, though that could be "no Warrant for ſuch a diſobedience in a Subject, he ſaid, "it was well known (as his Majeſty had expreſſed in his "Meſſage to both Houſes, to which Credit ought to have "been given) that he offer'd to go into the Town with "twenty Horſe only, his whole Train being Unarm'd; and "whoſoever thought that too great an Attendance for his "Majeſty, and his two Sons, had ſure an intention to bring "him to a meaner Retinue, than they would yet avow.

"Here then, he ſaid, was his Caſe, of which all the "World ſhould judge: His Majeſty endeavour'd to viſit a "Town and Fort of his own, wherein his own Magazine "lay; a Subject, in defiance of him, ſhuts the Gates againſt "him; with Armed Men reſiſts, denies, and oppoſes his En-"trance; tells him, in plain terms, he ſhould not come in. "He ſaid, he did not pretend to underſtand much Law, yet in "the point of Treaſon, he had had much Learning taught him "this Parliament; and if the ſence of the Statute of the 25th "Year of *Edward* the III. *Chap.* 2. were not very differing "from the Letter, Sr *John Hotham*'s Act was no leſs than "plain High Treaſon: and he had been contemptibly ſtupid, "if he had after all thoſe circumſtances of Grace and Favour "then ſhew'd to him, made any ſcruple to proclaim him "Traytor. And whether he were ſo, or no, it he would

"render himself, his Majesty would require no other Trial, "than that which the Law had appointed to every Subject, "and which he was confident he had not, in the least degree, "violated in those proceedings; no more than he had done "the Privilege of Parliament, by endeavouring, in a just way, "to challenge his own unquestionable Privileges. So that, "in such a Case, the declaring him Traytor, being a Member "of the House of Commons, without process of Law, should "be a breach of Privilege of Parliament (of which he was "sure none extended to Treason, Felony, or breach of Peace) "against the Liberty of the Subject, or against the Law of the "Land, he must have Other Reasons than bare Votes. He "said, he would know if Sr *John Hotham* had, with the "Forces by which he kept him out of his Town of *Hull*, pur-"sued him to the Gates of *York*, which he might as legally "have done, whether his Majesty must have stayed from "declaring him Traytor til process of Law might have issued "against him? Would Fears and Jealousies dispense with ne-"cessary, and real Forms? And must his Majesty, when actual "War is levied upon him, observe Forms which the Law it "self doth not enjoyn? The Case, he said, was truly stated, "let all the World judge (unless the mere sitting of a Parlia-"ment did suspend all Laws, and his Majesty was the only "Person in *England* against whom Treason could not be com-"mitted) where the fault was; and whatsoever course he "should be driven to for the Vindication of that his Privi-"lege, and for the Recovery and Maintenance of his known "undoubted Rights, he doth promise, in the presence of "Almighty God, and as he hopes for his Blessing in his Suc-"cess, that he would, to the utmost of his power, defend and "maintain the true Protestant Profession, the Law of the "Land, the Liberty of the Subject, and the just Privilege, and "Freedom of Parliament.

"FOR the Order of Assistance given to the Committee of "both Houses, concerning their going to *Hull*, he said, He "should say no more, but that those Persons, named in that "Order, he presum'd, would give no Commands, or his "good Subjects Obey other, than what were warranted by "the Law (how large and unlimited soever the Directions "are, or the Instructions might be) for to that Rule he "should apply his own Actions, and by it require an Ac-"count from other men; and that all his good Subjects might "the better know their duty in matters of this Nature, he "wished them carefully to peruse the Statute of the 11th "Year of King *Henry* VII. *Ch.* 1. He said, he would con-"clude with Mr *Pym*'s own words: If the Prerogative of the "King overwhelm the Liberty of the People, it will be

"turn'd

"turn'd to Tyranny; if Liberty undermine the Prerogatives, "it would grow into Anarchy, and so into Confusion.

BESIDES their Declaration, Votes, and Orders in the justification of Sr *John Hotham*, for his better Encouragement, and for a ground of his Son's residence at *Hull*, in whom they had in truth a firmer Confidence than in the Father, they Order'd, "That if, by any Force or Accident, Sr *John Ho-* "*tham* should lose his Life, or Otherwise die in that Service, "that his Son should succeed him in the Government; and having thus declared themselves, they thought fit at last to send some particular Answer to the King upon that business; which they were the rather inclined to do, that under that pretence, they might send down a Committee of their own to reside at *York*; whereby they might receive constant Animadversions of what happen'd, and what was design'd, and their Friends, and Dependents in that large, Populous, and Rich County, be the better confirm'd in their affections, and Devotions to them; and, to that purpose, they sent down the Lord *Howard* of *Escrigg*, the Lord *Fairfax*, Sr *Hugh Cholmly* (a fast friend to Sr *John Hotham*) Sr *Philip Stapleton*, who had likewise married *Hotham*'s Daughter, and Sr *Harry Cholmly*, who presented their Answer in writing to his Majesty; the which, being of a Mould unusual, and a Dialect higher and rougher than even themselves had yet used, I have thought fit to insert in the same words it was delivered; thus.

The most humble Answer of the Lords and Commons in Parliament to two Messages from your Sacred Majesty concerning Sr John Hotham's *refusal to give your Majesty entrance into the Town of* Hull.

"YOUR Majesty may be pleased to understand, that We, "your Great Council, finding manifold evidences of the "wicked Counsels, and Practices of some in near Trust, and "Authority about You, to put the Kingdom into a Com- "bustion, by drawing your Majesty into places of strength, "remote from your Parliament, and by exciting your People "to Commotions, under pretence of Serving your Majesty "against your Parliament, lest this Malignant Party, by the "advantage of the Town, and Magazine at *Hull*, should be "enabled to go through with their mischievous Intentions, "did, in discharge of the great Trust that lies upon us, and "by that Power which in Cases of this Nature resides in us, "Command the Town of *Hull* to be secured by a Garrison of "the adjoyning Train'd-bands, under the Government of Sr "*John Hotham*; requiring him to keep the same for the Ser- "vice of your Majesty and the Kingdom: wherein We have

The Answer of the Lords, and Commons to his Majesty's two Messages concerning Hull.

"done nothing contrary to your Royal Soveraignty in that "Town, or Legal Propriety in the Magazine.

"UPON consideration of Sr *John Hotham's* proceeding at "your Majesty's being there, We have upon very good "ground, adjudged, that he could not discharge the Trust, "upon which, nor make good the end, for which he was "placed in the Guard of that Town and Magazine, if he had "let in your Majesty with such Counsellors, and Company as "were then about you.

"WHEREFORE, upon full Resolution of both Houses, "We have declared Sr *John Hotham* to be clear from that "odious Crime of Treason; and have avowed, that he hath "therein done nothing but in obedience to the Command of "both Houses of Parliament; assuring our selves that, upon "mature Deliberation, your Majesty will not interpret his "obedience to such Authority, to be an Affront to your Ma-"jesty, or to be of that Nature, as to require any Justice to "be done upon him, or satisfaction to be made to your Ma-"jesty: but that you will see just cause of joyning with your "Parliament, in preserving and securing the Peace of the King-"dom; suppressing this wicked and Malignant Party; who by "false colours and pretensions of maintaining your Majesty's "Prerogative against the Parliament (wherein they fully agree "with the Rebels in *Ireland*) have been the causes of all our "Distempers and Dangers.

"FOR prevention whereof We know no better remedy, "than settling the Militia of the Kingdom, according to the "Bill, which we have sent your Majesty, without any inten-"tion of deserting, or declining the validity, or observance "of that Ordinance, which past both Houses, upon your Ma-"jesty's former refusal: but We still hold, that Ordinance to "be effectual by the Laws of this Kingdom. And we shall "be exceeding glad, if your Majesty by approving these our "just, dutiful, and necessary proceedings, shall be pleased to "entertain such Counsel, as We assure our selves, by God's "blessing, will prove very advantageous for the Honour, and "Greatness of your Majesty; the Safety, and Peace of your "People; amongst which, We know none more likely to "produce such good effects, than a Declaration from your "Majesty of your purpose to lay aside all thoughts of going "into *Ireland*, and to make a speedy return into these parts, "to be near your Parliament. Which as it is our most hum-"ble desire, and earnest Petition, so shall it be seconded with "our most dutiful Care for the Safety of your Royal Per-"son, and constant Prayers, that it may prove Honourable, "and Successful, in the Happiness of your Majesty, and all "your Kingdoms.

To

To this Anſwer, with all formality deliver'd to his Majeſty by the Committee, the King return'd a quick Reply:

His Majeſty's Reply.

"THAT he had been in good hope, that the reaſon, why "they had ſo long deferr'd their Anſwer to his Meſſages con- "cerning *Hull*, had been; that they might the better have "given him ſatisfaction therein, which now added the more "to his Aſtoniſhment, finding their Anſwer, after ſo long ad- "viſement, to be of that nature, which could not but ra- "ther increaſe, than diminiſh their preſent diſtractions, if con- "ſtantly adher'd to by the Parliament. He asked them, whe- "ther it was not too much, that his Town of *Hull* had a "Garriſon put into it, to the great Charge of the Country, "and inconvenience to the poor Inhabitants, without his "Conſent and Approbation, under colour at that time of For- "reign Invaſion, and Apprehenſions of the Popiſh Party; but "that now the reaſons thereof ſhould be enlarged with a "Scandal to his Majeſty, and his faithful Servants, only to "bring in the more ſpecious Pretext for the avowing Sr *John* "*Hotham*'s Inſolence, and Treaſon?

"HE ſaid, He had often heard of the great Truſt, that by "the Law of God and Man, was committed to the King for "the Defence, and Safety of his People; but as yet he never "underſtood, what Truſt or Power was committed to either, "or both Houſes of Parliament, without the King; They "being ſummon'd to Counſel, and Adviſe the King. But "by what Law or Authority, they poſſeſs themſelves of his "Majeſty's Right and Inheritance, he was confident, that as "they had not, ſo they could not ſhew. He told them, that "he had not hitherto given the leaſt interruption to Publick "Juſtice; but they, rather than ſuffer one of their Mem- "bers, to come ſo much as to a legal Trial for the Higheſt "Crime, would make uſe of an Order of Parliament to coun- "tenance Treaſon, by declaring him free from that guilt, "which all former Ages never accounted other; and that "without ſo much as enquiring the opinion of the Judges; "for he was confident, they would have mention'd their opi- "nion, if they had asked it.

"THEREFORE he expected, that upon further and better "conſideration of the great, and neceſſary conſequence of the "buſineſs of *Hull*, and ſeriouſly weighing, how much it did "concern the Peace and Quiet of the Kingdom, they would "without further inſtance from his Majeſty, give him full, and "ſpeedy Juſtice againſt Sr *John Hotham*. And, he ſaid, he "would leave all his good People to think, what hope of "Juſtice there was left for them, when they Refuſed, or De- "layed to give their own Sovereign ſatisfaction. And, as he "had already ſaid, till that ſhould be done, he would in-

"tend no buſineſs whatſoever other than that of *Ireland*.

"AND he ſaid, He likewiſe expected that They would not "put the Militia in execution, until they could ſhew him "by what Law they had Authority to do the ſame, without "his Conſent; or if they did, he was confident, that he ſhould "find much more obedience according to Law, than they "would do againſt Law. And he ſhould eſteem all thoſe, "who ſhould obey them therein, to be diſturbers of the Peace "of the Kingdom; and would, in due Seaſon, call them to a "Legal account for the ſame.

"CONCERNING his return, he told them, he never heard "that the ſlandering of a King's Government, and his faith-"ful Servants, the refuſing of him Juſtice, and in a Caſe of "Treaſon, and the ſeeking to take away his undoubted and "Legal Authority, under the pretence of putting the King-"dom into a poſture of Defence, were Arguments to induce a "King to come near, or hearken to his Parliament.

THE King diſpatched this Anſwer the ſooner, that the Country might be freed from the Impreſſion, the Preſence and Activity of the Committee made in them; but when he deliver'd it to them, and required them to make all convenient haſte with it to the Houſes, they told him, "They would "ſend it by an Expreſs, but that themſelves were required, "and appointed ſtill to reſide at *York*. The King told them, "that he liked not ſuch Superviſors near him, and wiſhed "them to be very careful in their carriage; that the Country "was viſibly then very well affected; and if he found any "declenſion, he well knew to whom to impute it; and "ſhould be compelled to proceed in another manner againſt "them, than, with reference to their Perſons (for they were all then reputed Moderate Men, and had not been thought diſaffected to the Government of Church or State) "He ſhould "be willing to do. They anſwer'd with a ſullen confidence, "that they ſhould demean themſelves according to their In-"ſtructions; and would perform the Truſt repoſed in them "by the two Houſes of Parliament. Yet ſuch was the ticklish-neſs of the King's Condition, that, though it was moſt evident that their coming, and ſtaying there was to pervert, and corrupt the Loyalty, and Affections of thoſe parts, and to infuſe into them Inclinations contrary to their Allegiance, it was not thought Counſellable at that time, either to commit them to Priſon, or to expel them from that City, or to inhibit them the freedom of his own Court, and Preſence; and ſo they continued, for the ſpace of above a Month, in *York*, even in Defiance of the King.

THE Militia was the Argument, which they found made deepeſt impreſſion in the People, being totally ignorant what

it

it was, or what the consequence of it might be; and so believing whatsoever they told them concerning it. And therefore they Resolv'd to drive that Nail home; and though, for want of their Imminent Danger, and during the time of the King's Treaty, and Overture of a Bill, they had forborn the execution of their Ordinance; yet the frequent Musters of Voluntiers without Order, almost in all Countries, by the bare Authority of their Votes, gave them sufficient Evidence how open the People were to their Commands; at least how unprepared Authority was to resist, and oppose them: and therefore, after the King had displaced their two Favourites, and refused to pass the Bill for the Militia, and Sr *John Hotham* had refused to let the King come into the Town of *Hull*, and They had justify'd him for so doing, they prepared a Declaration concerning the whole State of the Militia, as the Resolution of the Lords and Commons upon that matter; in which they said,

The Declaration of the two Houses about the Militia, May 5. 1642.

"THAT holding it necessary for the Peace, and Safety of "the Kingdom, to settle the Militia thereof, they had, for "that purpose, prepared an Ordinance of Parliament, and with "all humility had presented the same to his Majesty for his "Royal Assent. Who, notwithstanding the faithful Advice "of his Parliament, and the several Reasons offer'd by them, "of the necessity thereof for the securing of his Majesty's Per"son, and the Peace and Safety of his People, did refuse to "give his Consent; and thereupon they were necessitated, "in discharge of the Trust reposed in them, as the Repre"sentative Body of the Kingdom, to make an Ordinance, "by the Authority of both Houses, to settle the Militia, "warranted thereunto by the Fundamental Laws of the Land: "that his Majesty, taking notice thereof, did, by several Mes"sages, invite them to settle the same by Act of Parliament; "affirming in his Message sent in Answer to the Petition of "both Houses presented to his Majesty at *York*, *March* 26. "That he always thought it necessary the same should be set"tled, and that he never denied the thing, only denied the "Way; and for the Matter of it, took exception only to the "Preface, as a thing not standing with his Honour to con"sent to; and that Himself was excluded in the Execution, "and for a time unlimited; whereupon the Lords and Com"mons, being desirous to give his Majesty all satisfaction that "might be, even to the least Title of Form and Circumstances, "when his Majesty had pleased to offer them a Bil ready "drawn, had, for no other cause, than to manifest their "hearty Affection to comply with his Majesty's desires, and "obtain his consent, entertain'd the same, in the mean time no "way declining their Ordinance; and to express their earnest

"Zeal to correſpond with his Majeſty's deſires (in all things "that might conſiſt with the Peace, and Safety of the King-"dom, and the Truſt repoſed in them) did paſs that Bill, "and therein omitted the Preamble inſerted before the Or-"dinance; limited the time to leſs than two Years; and con-"fined the Authority of the Lieutenants to theſe three parti-"culars, namely, Rebellion, Inſurrection, and Forreign In-"vaſion; and return'd the ſame to his Majeſty for his Royal "Aſſent: but all theſe expreſſions of Affection and Loyalty, "all thoſe deſires, and earneſt endeavours to comply with his "Majeſty, had, to their great grief and ſorrow, produced no "better Effects than an abſolute denial, even of that which "his Majeſty by his former Meſſages, as they conceived, had "promiſed: the Advice of evil and wicked Councils receiving "ſtill more Credit with him, than that of his Great Coun-"cil of Parliament in a matter of ſo high Importance, that "the Safety of his Kingdom, and Peace of his People, de-"pended upon it.

"But now, what muſt be the exceptions to that Bill? Not "any ſure that were to the Ordinance; for a care had been "taken to give ſatisfaction in all thoſe particulars. Then the "exception was, becauſe that the diſpoſing and execution "thereof was referr'd to both Houſes of Parliament, and his "Majeſty excluded; and now that, by the Bill, the Power "and Execution was aſcertain'd, and reduced to particulars, "and the Law of the Realm made the Rule thereof, his Ma-"jeſty would not truſt the Perſons. The Power was too great, "too unlimited, to truſt them with. But what was that Power? "Was it any other, but, in expreſs terms, to ſuppreſs Re-"bellion, Inſurrection, and Forreign Invaſion? And who "were thoſe Perſons? Were not they ſuch as were nominated "by the Great Council of the Kingdom, and Aſſented to by "his Majeſty? And was it too great a Power, to truſt thoſe "Perſons with the ſuppreſſion of Rebellion, Inſurrection, "and Forreign Invaſion? Surely, they ſaid, the moſt wicked "of them who adviſed his Majeſty to that Anſwer, could not "ſuggeſt, but that it was neceſſary for the ſafety of his Ma-"jeſty's Royal Perſon, and the Peace of the Kingdom, ſuch "a Power ſhould be put in ſome hands, and there was no "pretence for exception to the Perſons. They ſaid, his Ma-"jeſty had, for the ſpace of above fifteen years together, not "thought a Power, far exceeding that, to be too great to in-"truſt particular Perſons with, to whoſe Will the Lives, and "Liberties of his People, by Martial Laws, were made Sub-"ject; for ſuch was the Power given Lord Lieutenants, and "Deputy Lieutenants, in every County of this Kingdom, "and that without the conſent of the People, or Authority

"of

"of Law. But now in case of extreme Necessity, upon the "advice of both Houses of Parliament, for no longer space "than two years, a lesser Power, and that for the safety of "King and People, was thought too great to trust particular "Persons, with, though named by both Houses of Parlia-"ment, and approved by his Majesty himself: and surely, if "there were a necessity to settle the Militia (which his Maje-"sty was pleased to confess) the Persons could not be in-"trusted with less Power than that, to have it at all effectual. "And the Precedents of former Ages, when there happen'd a "necessity to raise such a Power, never streighten'd that "Power to a narrower compass; witness the Commissions of "Array in several Kings Reigns, and often issued out by the "Consent and Authority of Parliament.

"THE Lords and Commons therefore, intrusted with the "Safety of the Kingdom, and Peace of the People (which, "they called God to witness, was their only aim) finding "themselves denied those their so necessary and just Demands, "and that they could never be discharged before God or "Man, if they should suffer the Safety of the Kingdom, and "Peace of the People, to be exposed to the Malice of the "Malignant Party at Home, or the Fury of Enemies Abroad: "and knowing no other way to encounter the imminent, and "approaching Danger, but by putting the People into a fit "posture of Defence, did Resolve to put their said Ordinance "in present execution; and did require all Persons in Autho-"rity, by virtue of the said Ordinance, forthwith to put the "same in execution; and all others to obey it, according to "the Fundamental Laws of the Kingdom in such cases, as "they tender'd the upholding of the true Protestant Reli-"gion, the Safety of his Majesty's Person, and his Royal Po-"sterity, the Peace of the Kingdom, and the Being of this "Common-wealth. This Declaration (being in Answer to a Message from his Majesty) was Printed, and, with the usual care and dexterity, dispersed throughout the Kingdom, with-out so much as sending it to the King; and, thereupon, Warrants and Directions issued into all parts, for the Exer-cising the Militia.

THIS being the first Declaration they had in plain terms published against the King, without ever communicating it, or presenting it to him, as they had done all the rest, his Ma-jesty was the more troubled how to take notice of it; but con-ceiving it necessary to apply some Antidote to this Poyson, the violent operation whereof he had reason to apprehend, he published a Declaration by way of Answer to that Decla-ration, in which he said,

"THAT

The King's Declaration in Answer to the foregoing Declaration.

"THAT he very well understood, how much it was be-
"low the High and Royal Dignity (wherein God had placed
"him) to take notice of, much more to trouble himself
"with Answering, those many Scandalous, Seditious Pam-
"phlets, and Printed Papers, which were scatter'd, with such
"great licence throughout the Kingdom (notwithstanding
"his Majesty's earnest desire, so often in vain press'd, for a
"Reformation) though he found it evident, that the minds
"of many of his weak Subjects, had been, and still were poy-
"son'd by those means; and that so general a terrour had
"possessed the minds and hearts of all Men, that whilst the
"Presses swarm'd with, and every day produced, new Tracts
"against the established Government of the Church and State,
"most Men wanted the Courage, or the Conscience to write,
"or the opportunity and encouragement to publish such
"composed, sober Animadversions, as might either preserve
"the minds of his good Subjects from such infection, or re-
"store and recover them, when they were so infected: but,
"his Majesty said, He was contented to let himself fall to any
"Office, that might undeceive his People, and to take more
"pains that way by his own Pen, than ever King had done,
"when he found any thing that seem'd to carry the Repu-
"tation and Authority of either, or both Houses of Parlia-
"ment, and would not have the same refuted, and disputed
"by Vulgar and Common Pens, till he should be throughly
"informed whether those Acts had in truth that Counte-
"nance and Warrant, they pretended: which regard of his,
"his Majesty doubted not but, in time, would recover that
"due Reverence (the absence whereof he had too much rea-
"son to complain of) to his Person and his Messages, which
"in all Ages had been paid, and, no doubt, was due to the
"Crown of *England*.

HE said, he had therefore taken notice of a Printed Pa-
per, Entituled, "A Declaration of both Houses in Answer to
"his last Message concerning the Militia, published by Com-
"mand; the which he was unwilling to believe (both for
"the matter of it, the expressions in it, and the manner of
"publishing it) could result from the consent of both Houses;
"neither did his Majesty know by what Lawful Command,
"such Uncomely, Irreverent mention of Him could be
"published to the World: and, though Declarations of
"that kind had of late, with too much boldness, broken in
"upon his Majesty, and the whole Kingdom, when one,
"or both Houses had thought fit to communicate their Coun-
"sels, and Resolutions to the People; yet, he said, he was
"unwilling to believe, that such a Declaration as that could
"be published in Answer to his Message, without vouchsafing
"at

"at leaſt to ſend it to his Majeſty as their Anſwer. Their "buſineſs, for which they were met by his Writ and Autho- "rity, being to Counſel him for the good of his People, "not to write againſt him to his People; nor had any con- "ſent of his Majeſty for their long continuing together en- "abled them to do any thing, but what they were firſt ſum- "mon'd by his Writ to do. At leaſt he would believe, "though miſunderſtanding and jealouſy (the Juſtice of God, "he ſaid, would overtake the Fomenters of that jealouſy, "and the Promoters and Contrivers of that miſunderſtand- "ing) might produce, to ſay no worſe, thoſe very unto- "ward Expreſſions, that if thoſe Houſes had contrived that "Declaration as an Anſwer to his Meſſage, they would have "vouchſafed ſome Anſwer to the Queſtions propoſed in his, "which, he profeſſed, did, and muſt evidently prevail over "his underſtanding; and in their Wiſdom and Gravity, they "would have been ſure to have ſtated the matters of Fact, as "(at leaſt to ordinary underſtandings) might be unqueſtion- "able; neither of which was done by that Declaration.

"His Majeſty deſired to know, why he was by that Act "abſolutely excluded from any Power, or Authority in the "execution of the Militia; and, he ſaid, he muſt appeal to "all the World, whether ſuch an Attempt, were not a great- "er and juſter ground for Fear and Jealouſy in Him, than "any one that was avowed for thoſe Deſtructive Fears and "Jealouſies which were ſo publickly own'd, almoſt, to the "ruine of the Kingdom. But his Majeſty had been told, that "he muſt not be jealous of his Great Council of both Houſes "of Parliament: He ſaid, he was not, no more than they "were of his Majeſty, their King; and hitherto they had not "avow'd any Jealouſy of, or Diſaffection to his Perſon; but "imputed all to his evil Counſellors, to a Malignant Party, "that was not of their minds; ſo his Majeſty did (and, he "ſaid, he did it from his Soul) profeſs no Jealouſy of his Par- "liament, but of ſome Turbulent, Seditious, and Ambitious "Natures; which, being not ſo clearly diſcern'd, might have "an influence even upon the Actions of both Houſes: and "if that Declaration had paſſed by that conſent (which he "was not willing to believe) he ſaid, it was not impoſſible, "but that the apprehenſion of ſuch Tumults, which had driven "his Majeſty from his City of *London*, for the Safety of his "Perſon, might make ſuch an impreſſion upon other Men, not "able to remove from the danger, to make them Conſent, "or not to own a Diſſent, in matters not agreeable to their "Conſcience, or Underſtanding.

"He ſaid, He had mention'd in that his Anſwer, his diſ- "like of putting their Names out of the Bill, whom before

"they

"they recommended to His Majesty, in their pretended Or-
"dinance, and the leaving out, by special Provision, the pre-
"sent Lord Mayor of *London*; to all which the Declaration
"afforded no Answer; and therefore he could not suppose it
"was intended for an Answer to that his Message, which
"whosoever looked upon, would find to be in no degree An-
"swer'd by that Declaration; but it inform'd all his Majesty's
"Subjects, after the mention with what humility the Ordi-
"nance was prepared, and presented to his Majesty (a mat-
"ter very evident in the Petitions, and Messages concerning
"it) and his refusal to give his Consent, notwithstanding the
"several reasons offer'd of the necessity thereof for the se-
"curing of his Person, and the Peace and Safety of his Peo-
"ple (whether any such reasons were given, the weight of
"them, and whether they were not clearly and candidly An-
"swer'd by his Majesty, the world would easily judge) that
"they were at last necessitated to make an Ordinance by Au-
"thority of both Houses, to settle the Militia, warranted
"thereunto by the Fundamental Laws of the Land. But, his
"Majesty said, if that Declaration had indeed intended to
"have Answer'd him, it would have told his good Subjects
"what those Fundamental Laws of the Land were, and
"where to be found; and would, at least, have mention'd one
"Ordinance, from the first beginning of Parliaments to this
"present Parliament, which endeavour'd to impose any thing
"upon the Subject without the King's Consent; for of such,
"he said, all the enquiry he could make could never produce
"him one instance. And if there were such a Secret of the
"Law, which had lain hid from the beginning of the World
"to that time, and now was discover'd to take away the
"Just, Legal Power of the King, he wished there were not
"some other Secret (to be discover'd when they pleased)
"for the ruine, and destruction of the Liberty of the Subject.
"For, he said, there was no doubt if the Votes of both
"Houses had any such Authority to make a new Law, it had
"the same Authority to repeal the old; and then, what would
"become of the long established Rights and Liberties of
"the King and Subject, and particularly of *Magna Charta*,
"would be easily discern'd by the most ordinary Under-
"standing.

"He said, it was true, that he had (out of tenderness of
"the Constitution of the Kingdom, and care of the Law,
"which he was bound to defend, and being most assured of
"the unjustifiableness of the pretended Ordinance) invited,
"and desired both Houses of Parliament to settle whatsoever
"should be fit of that nature by Act of Parliament. But was
"he therefore obliged to pass whatsoever should be brought

"to

"to him of that kind? He did say in his Answer to the Petition of both Houses presented to him at *York* the 26th of *March* last (and he had said the same in other messages before) that he always thought it necessary that the business of the Militia should be settled, and that he never denied the Thing, only denied the Way; and he said the same still; and that since the many Disputes and Votes, upon Lords Lieutenants and their Commissions (which had not been begun by his Majesty, nor his Father) had so discountenanced that Authority, which for many years together was happily looked upon with reverence, and obedience by the People, his Majesty did think it very necessary, that some wholesome Law should be provided for that Business; but he had declared in his Answer to the pretended Ordinance, that he expected, that that necessary Power should be first invested in his Majesty, before he consented to transfer it to other men; neither could it ever be imagined that he would consent that a greater Power should be in the hands of a Subject, than he was thought worthy to be trusted with Himself. And if it should not be thought fit to make a new Act or Declaration in the point of the Militia, he doubted not, but he should be able to grant such Commissions as should very legally enable those he trusted, to do all Offices for the peace and quiet of the Kingdom, if any disturbance should happen.

"But it was said, he had been pleased to offer them a Bill ready drawn, and that They, to express their earnest Zeal to correspond with his desire, did pass that Bill; and yet all that expression of Affection and Loyalty, all that earnest desire of theirs to comply with his Majesty, produced no better effect than an absolute denial, even of what by his former Messages his Majesty had promised; and so that Declaration, he said, proceeded, under the pretence of mentioning evil and wicked Councils, to censure and reproach his Majesty in a Dialect, that, he was confident, his good Subjects would read, on his behalf, with much Indignation. But, his Majesty said, sure, if that Declaration had passed the examination of both Houses of Parliament, they would never have affirmed, that the Bill he had refused to pass, was the same he had sent to them, or have thought that his Message, wherein the difference, and contrariety between the two Bills, was so particularly set down, would be Answer'd with the bare Averring them to be one and the same Bill: nor would they have declar'd, when his exceptions to the Ordinance, and the Bill, were so notoriously known to all, that care being taken to give satisfaction in all the particulars he had excepted against in the

"Ordi-

"Ordinance, he had found New exceptions to the Bill; and "yet the very Declaration confeſſed, that his exception to "the Ordinance was, that in the diſpoſing and execution "thereof, his Majeſty was Excluded: and was not that an ex- "preſs reaſon, in his Anſwer, for his refuſal of the Bill; "which that Declaration would needs confute?

"BUT the Power was no other than to ſuppreſs Rebel- "lion, Inſurrection, and Forreign Invaſion: and the Perſons "truſted, no other than ſuch as were nominated by the Great "Council of the Kingdom, and aſſented to by his Majeſty: "and they asked, if that were too Great a power to truſt "thoſe Perſons with? Indeed, his Majeſty ſaid, whilſt ſo "great Liberty was uſed in Voting, and Declaring men to "be Enemies to the Common-wealth (a phraſe his Majeſty "ſcarce underſtood) and in cenſuring men for their Service, "and Attendance upon his Majeſty's Perſon, and in his law- "ful Commands, great heed muſt be taken into what hands "he committed ſuch a Power to ſuppreſs Inſurrection, and "Rebellion; and if Inſurrection and Rebellion had found "other Definitions than what the Law had given, his Majeſty "muſt be ſure that no Lawful power ſhould Juſtify thoſe De- "finitions: and if there were Learning found out to make "Sr *John Hotham's* taking Arms againſt him, and keeping his "Majeſty's Town and Fort from him, to be no Treaſon or "Rebellion, he knew not whether a new Diſcovery might "not find it Rebellion in his Majeſty to Defend himſelf "from ſuch Arms, and to endeavour to recover what was ſo "taken from him; and therefore, he ſaid, it concern'd him, "till the known Laws of the Land were allow'd to be Judge "between them, to take heed into what hands he committed "ſuch power.

"BESIDES, he asked, whether it could be thought, that "becauſe he was willing to truſt certain Perſons, that he was "obliged to truſt them in Whatſoever they were willing to "be truſted? He ſaid, no Private hands were fit for ſuch a "Truſt; neither had he departed from any thing, in the "leaſt degree, he had offer'd or promiſed before; though He "might with as much reaſon have withdrawn his Truſt "from ſome Perſons, whom before he had accepted, as They "had done from others, whom they had recommended. For "the power which he was charged to have committed to par- "ticular Perſons, for the ſpace of fifteen years, by his Com- "miſſions of Lieutenancy, it was notoriouſly known that it "was not a power created by his Majeſty, but continued "very many years, and in the moſt happy times this King- "dom had enjoyed, even thoſe of his renown'd Predeceſ- "ſors, Queen *Elizabeth*, and his Father of happy memory;

"and

"and whatever Authority had been granted by thoſe Commiſſions, which had been kept in the old forms, the ſame "was determinable at his Majeſty's pleaſure; and he knew "not, that they produced any of thoſe Calamities, which "might give his good Subjects cauſe to be ſo weary of them, as "to run the hazard of ſo much Miſchief, as that Bill, which "he had refuſed might poſſibly have produced.

"FOR the Precedents of former Ages in the Commiſſions "of Array, his Majeſty doubted not, but when any ſuch had "iſſued out, that the King's conſent was always obtain'd, and "the Commiſſions determinable at His pleaſure; and then "what the extent of Power was, would be nothing applicable "to that Caſe of the Ordinance.

"BUT whether that Declaration had refuted his Majeſty's "reaſons for his refuſal to paſs the Bill, or no, it reſolved, "and required all perſons in Authority thereby to put the "Ordinance in preſent execution; and all Others to obey it "according to the Fundamental Laws of the Land. But, his "Majeſty ſaid, He, whom God had truſted to maintain and "defend thoſe Fundamental Laws, which, he hoped, God "would bleſs to ſecure him, did declare, that there was no "Legal Power in either, or both Houſes, upon any pretence "whatſoever, without his Majeſty's conſent, to Command "any part of the Militia of the Kingdom; nor had the like "ever been commanded by either, or both Houſes, ſince the "firſt foundation of the Laws of the Land; and that the Exe-"cution of, or the Obedience to that pretended Ordinance, "was againſt the Fundamental Laws of the Land, againſt the "Liberty of the Subject, and the Right of Parliaments, and a "High Crime in any that ſhould execute the ſame: and his "Majeſty did therefore charge, and command all his loving "Subjects of what degree or quality ſoever, upon their Al-"legiance, and as they tender'd the peace of the Kingdom, "from thenceforth not to Muſter, Levy, or Array, or Sum-"mon, or Warn any of the Train'd-bands to Riſe, Muſter, or "March, by Virtue, or under Colour, of that pretended Or-"dinance: and to that Declaration, and Command of his "Majeſty's he ſaid, he expected and required a full Submiſſion, "and Obedience from all his loving Subjects, upon their Al-"legiance, as they would Anſwer the Contrary at their Pe-"rils, and as they tender'd the upholding of the True Pro-"teſtant Religion, the ſafety of his Perſon, and his Royal "Poſterity, the Peace, and Being of the Kingdom.

NOTWITHSTANDING theſe ſharp Declarations (infallible Symptoms of ſharper Actions) which were with equal Diligence diſperſed by either ſide among the People, ſave that the Agents for the Parliament took as much care to Suppreſs the

the King's, as to Publish their own; whereas the King's desire was that they might be both impartially read and examin'd, and to that purpose always caused those from the Parliament to be Printed with his own, They had the power and skill to perswade Men, who, but by that perswasion, could not have been Seduced, and without Seducing of whom they could have made but a very sorry progress in mischief, "That "all would be well; that they were well assured that the "King would, in the end, yield to what they desired; at "least, that they should prevail for a good Part, if not for "All, and that there should be no War: though themselves well knew, that the Fire was too much kindled, to be extinguish'd without a flame, and made preparations accordingly. For the raising and procuring of Money (besides the vast Sums collected and contributed for *Ireland*, which they disburs'd very leisurely, the Supplies for that Kingdom, notwithstanding the importunity and complaint from thence, being not dispatch'd thither, both in quantity and quality, with that Expedition as was pretended) they sent out very strict Warrants for the gathering all those Sums of Money, which had been granted by any Bills of Subsidy, or Poll-Bill; in the collection of all which there had been great negligence, probably that They might have it the more at their own disposal in their Need; by which they now recover'd great Sums into their hands. For the raising of Men (though it was not Yet time for them to avow the raising an Army) besides the disposing the whole Kingdom to subject themselves to their Ordinance of the Militia, and, by That, listing in all places Companies of Voluntiers, who would be ready when they were called, they made more haste than they had done in the Levies of Men, both Horse and Foot, for the relief of *Ireland*, under Officers chosen, or approv'd by Themselves; and proposed the raising of an Army apart, of six or eight thousand, under the Command of the Lord *Wharton* (a man very fast to them) for *Munster*, under the style of the Adventurers Army, and to have no dependence upon, nor be subject to, the Lord Lieutenant of *Ireland*, but only to receive Orders from the two Houses, and from a Committee to be appointed by them, which should be always with that Army: but the King, easily discerning the consequence of that design, refused to grant such a Commission as they desir'd; so that they were forced to be content, only with the advantage of New Exclamations against the King, "For hin-"dering the Supplies for *Ireland*, upon the occasion of his denyal of that unreasonable Commission, and to proceed in their Levies the ordinary way; which they did with great Expedition. To confirm and encourage the Factious and Schisma-

Schismatical Party of the Kingdom, which thought the pace towards the Reformation was not brisk, and furious enough, and was with great difficulty contained in so slow a March, They, had, a little before, published a Declaration:

"THAT they intended a due, and necessary Reformation "of the Government, and Liturgy of the Church, and to take "away nothing in the One or the Other, but what should be "Evil, and justly Offensive, or at least Unnecessary, and Bur- "densom; and, for the better effecting thereof, speedily to "have consultation with Godly and Learned Divines: and, "because that would never of it self attain the end sought "therein, they would therefore use their utmost endeavours "to establish Learned, and Preaching Ministers, with a good "and sufficient maintenance throughout the whole Kingdom; "wherein many dark Corners were miserably destitute of the "means of Salvation, and many poor Ministers wanted ne- "cessary provision."

The Two Houses Declaration concerning Reformation of the Liturgy.

THIS Declaration, Printed, and appointed to be published by the Sheriffs in their several Counties, in all the Market Towns within the Kingdom of *England*, and Dominion of *Wales*, was not more intended to the heartning of those who were impatient for a Reformation (who in truth had so implicite a Faith in their Leaders, that they expected another manner of Reformation than was publickly promised) than to the lulling those asleep, who begun to be awake with the apprehension of that confusion, they apprehended from the practice and licence, they saw practised against the received Government, and Doctrine of the Church; and to be perswaded that it was time to oppose that Current. And, in this project, they were not disappointed: for though this warily worded Declaration was evidence enough to Wise men, that They intended, and Logically comprehended, an Alteration as great, as has been since attempted, and made; yet to lazy and Quiet men, who could not discern consequences, and were not willing to Antedate their miseries, by suspecting worse was to come, than they felt, or saw in their View; their fears were much abated, and the intentions of the Parliament seem'd not so bad, as they had been told by some that they were: and as this very Declaration of a due Reformation to be made of the Government of the Church, and the Liturgy, would, a year before, have given great Umbrage and Scandal to the People, when, generally, there was a due submission to the Government, and a singular reverence of the Liturgy of the Church of *England*; so Now, when there was a General fear and apprehension inculcated into them, of a purpose utterly to subvert the Government, and utterly to abolish the Liturgy, they thought the taking away nothing in

the One or the Other, but what should be Evil, and Justly offensive, or, at least, Unnecessary and Burdensom, was an easy Composition; and so, by degrees, they suffer'd themselves to be still prevail'd on towards ends they extremely abhorred; and what at first seem'd Prophane and Impious to them, in a little time appear'd only Inconvenient; and what, in the beginning, they thought matter of Conscience and Religion, shortly after they looked upon, as somewhat rather to be wished than positively Insisted on; and consequently not to be laid in the balance with the Publick Peace, which they would imagin to be endanger'd by opposing the sense that then prevailed; and so, by Undervaluing many particulars (which they Truly esteem'd) as rather to be consented to, than that the general should suffer, they Brought, or Suffer'd the Publick to be brought to all the sufferings it since underwent.

The Assembly of Divines.

And now they shew'd what Consultation they meant to have with Godly and Learned Divines, and what Reformation they intended, by appointing the Knights and Burgesses to bring in the Names of such Divines for the several Counties, as they thought fit to constitute an Assembly for the framing a new Model for the Government of the Church, which was done accordingly; those who were true Sons of the Church, not so much as endeavouring the Nomination of Sober, and Learned Men, abhorring such a Reformation, as begun with the Invasion, and Suppression of the Church's Rights in a Synod, as well known as *Magna Charta*: and if any well affected Member, not enough considering the scandal, and the consequence of that Violation, did Name an Orthodox, and well reputed Divine, to assist in that Assembly it was Argument enough against him, that he was Nominated by a Person in whom they had no Confidence; and They only had reputation enough to Commend to this Consultation, who were known to desire the utter demolishing of the whole Fabrick of the Church: so that of about one hundred and twenty, of which that Assembly was to consist (though, by the recommendation of two or three Members of the Commons, whom they were not willing to displease, and by the Authority of the Lords, who added a small Number to those named by the House of Commons, a few very Reverend, and Worthy men were inserted; yet of the whole Number) they were not above Twenty, who were not declar'd, and avow'd Enemies to the Doctrine, or Discipline of the Church of *England*; some of them infamous in their lives, and conversations; and most of them of very mean parts in Learning, if not of Scandalous Ignorance; and of no other reputation, than of malice to the Church of *England*; so that

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that Convention hath not ſince produced any thing, that might not Then reaſonably have been expected from it.

But that which gave greateſt power, and ſtrength to their growing Faction, was the ſeverity they uſed againſt all thoſe, of what Quality or degree ſoever, who oppoſed their Counſels, and Proceedings. If any Lord, who had any place of Honour, or Truſt from the King, concurred not with them, they made an inquiſition into the whole paſſages of his Life; and if they could find no Fault, or no Folly (for any Levity, or Indiſcretion, ſerved for a Charge) to reproach him with, it was enough (That They could not Confide in him: ſo they threatned the Earl of *Portland*, who with extraordinary vivacity croſſed their Conſultations, "That they would remove "him from his Charge and Government of the Iſle of *Wight* (which at laſt they did *de facto*, by committing him to Priſon without ſo much as aſſigning a Cauſe) and to that purpoſe, objected all the Acts of good fellowſhip; all the waſte of Powder, and all the waſte of Wine, in the drinking of Healths; and other Acts of Jollity, whenever he had been at his Government, from the firſt hour of his entering upon it: ſo that the leaſt inconvenience a man in their Diſfavour was to expect, was to have his Name and Reputation uſed, for two or three hours, in the Houſe of Commons with what Licence and Virulency they pleaſed. None were perſecuted with more rigour, than the Clergy; whereof whoſoever publickly, or privately, cenſured their Actions, or ſuſpected their Intentions, was either committed to priſon, or compelled to a chargeable and long Attendance, as inconvenient as Impriſonment. And this meaſure of proceeding was Equally, if not with more animoſity, applied to thoſe, who, in former times, had been looked upon by that Party with moſt reverence. On the contrary, whoever Concurred, Voted, and Sided with them, in their extravagant concluſions, let the infamy of his former life, or preſent practice be what it would; his injuſtice and oppreſſion never ſo ſcandalous, and notorious; He was receiv'd, countenanc'd and protected with marvellous demonſtrations of Affection: ſo that, between thoſe that Loved them, and thoſe that Fear'd them; thoſe that did not love the Church, and thoſe that did not love ſome Churchmen; thoſe whom the Court had oppreſſed, and thoſe who had helped the Court to oppreſs Others; thoſe who fear'd their Power, and thoſe who fear'd their Juſtice; their Party was grown over the Kingdom, but eſpecially in the City, juſtly Formidable.

In the mean time, the King omitted no opportunity to provide againſt the Storm he ſaw was coming; and, though he might not Yet own the apprehenſion of that danger he

really found himself in, he neglected not the provision of what he thought most necessary for his defence; he caused all his Declarations, Messages, and Answers, to be industriously communicated throughout his Dominions; of which he found good effects; and, by their reception, discover'd that the People universally were not so irrecoverably poison'd, as he before had cause to fear: He caused private intimations to be given, and insinuations to be made to the Gentry "That Their "presence would be acceptable to him; and to those, who came to him, he used much gracious freedom, and expressed all possible demonstrations, that he was glad of their Attendance: so that, in a short time, the resort to *York* was very great; and, at least, a good face of a Court there.

BEYOND the Seas, the Queen was as intent to do Her part; and to provide that so good Company, as she heard was daily gather'd together about the King, should not be dissolved for want of Weapons to defend one another: and therefore, with as much secrecy, as could be used in those Cases, and in those places where she had so many Spies upon her, she caused, by the Sale or Pawning of her own, and some of the Crown Jewels, a good quantity of Powder and Arms to be in a readiness in *Holland*, against the time that it should be found necessary to transport it to his Majesty: so that both Sides, whilst they entertain'd each other with discourses of Peace (which always carried a sharpness with them, that whetted their appetite to War) provided for that War, which they saw would not be prevented.

HITHERTO the greatest Acts of Hostility, saving that at *Hull*, were perform'd by Votes, and Orders; for there was Yet no visible, formal execution of the Ordinance for the Militia, in any one County of *England*: for the appearance of Voluntiers in some factious Corporations was rather Countenanced, than positively directed and enjoyn'd by the Houses: and most places pretended an Authority, granted by the King in the Charters, by which those Corporations were erected, or constituted; but now they thought it time to satisfy the King, and the People, that they were in Earnest (who were hardly perswaded, that they had in truth the courage to execute their own Ordinance) and Resolved, "That, on "the Tenth of *May*, they would have all the Train'd-bands "of *London* Muster'd in the Fields, where that exercise "usually was perform'd; and accordingly, on that day, their own new Officer, Serjeant-Major-General *Skippon*, appear'd in *Finsbury* Fields, with all the Train'd-bands of *London*, consisting of above eight thousand Soldiers, disposed into six Regiments, and under such Captains and Colonels, as they had cause to Confide in. At this first triumphant Muster,

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the Members of both Houſes appear'd in groſs; there being a Tent purpoſely ſet up for them, and an Entertainment at the Charge of the City to the value of near a thouſand pounds; all Men preſuming, that this Example of *London*, with ſuch Ceremony and Solemnity, would be eaſily follow'd throughout the Kingdom; and many believing, they had made no ſmall progreſs towards the end they aimed at, by having engaged the very body of the City in a Guilt equal to their own: for though they had before ſufficient evidence of the Inclinations of the Mean, and Common People to them, and reaſonable aſſurance, that thoſe in Authority would hardly be able to contain them; yet, till this day, they had no inſtance of the Concurrence of the City in an Act expreſsly unlawful. But now they preſumed all difficulties were over; and ſo ſent their Directions to the Counties adjacent, ſpeedily to execute the ſame Ordinance; and appointed all the Magazines of the ſeveral Counties of *England* and *Wales*, to ſuch Cuſtody, as their Lords Lieutenants, or their Deputy Lieutenants ſhould appoint; and that not only the Counties ſhould increaſe thoſe Magazines to what proportion ſoever they thought convenient, but that any private Perſons, that were well Affected, ſhould ſupply themſelves with what Arms and Ammunition they pleaſed. By which means, beſides the King's Magazines, all which were in their poſſeſſion, they cauſed great quantities of all ſorts of Arms to be provided, and diſpoſed to ſuch Places and Perſons, as they thought fitteſt to be truſted; eſpecially in thoſe Factious Corporations, which had Liſted moſt Voluntiers for their Service.

THE King now ſaw the Storm coming apace upon him; that (notwithſtanding his Proclamation publiſhed againſt the Ordinance of the Militia, in which he ſet down the Laws and Statutes, which were infringed thereby, and by which the execution of that Ordinance would be no leſs than High Treaſon) the Votes, and Declaration of both Houſes "That "thoſe Proclamations were illegal, and that thoſe Acts of Par- "liaments could not Controle the Acts, and Orders of both "Houſes (which the Subjects were, by the Fundamental "Laws of the Kingdom, to obey) prevail'd ſo far, that obedience was given to them; that he was ſo far from being like to have *Hull* reſtored to him, that the Garriſon there daily increaſed, and forced the Country to ſubmit to ſuch Commands, as they pleaſed to lay on them; and that Sr *John Hotham* was more likely to be able to Take *York*, than his Majeſty to Recover *Hull*; he thought it, therefore, high time, by their example, to put himſelf into a poſture of Defence; the Danger being much more imminent to his Majeſty, than to thoſe who had begot that Ordinance. Hereupon, at a

publick meeting of the Country, his Majesty declar'd, "That "he was Resolv'd in regard of the Publick Distempers, and "the Neighbourhood of *Hull*, to have a Guard for his Person; "but of such Persons, and with such Circumstances, as should "administer no occasion of Jealousy to the most Suspicious; "and wished the Gentlemen of Quality, who attended, to "consider, and advise of the way: Who shortly after (notwithstanding the opposition given by the Committee, which still resided there; and the Factious Party of the County, which was inflamed, and govern'd by them) expressed a great alacrity to comply with his Majesty's desire, in whatsoever should be proposed to them; and a sense, "That they thought "a sufficient Guard was very necessary for the Security of his "Majesty's Person. Hereupon, the King appointed such Gentlemen as were willing, to List themselves into a Troop of Horse, and made the Prince of *Wales* their Captain; and made choice of one Regiment of the Train'd-bands, consisting of about six hundred, whom he caused, every *Saturday*, to be paid at his own Charge; when he had little more in his Coffers, than would defray the weekly Expence of his Table: and this Troop, with this Regiment, was the Guard of his Person; it being first declared by his Majesty, "That no Per-"son should be suffer'd, either in the Troop, or the Regi-"ment, who did not, before his Admission into the Service, "take the Oaths of Allegiance, and Supremacy; that so he might be free from the scandal of entertaining Papists for his Security.

But this caution would not serve; the Fears and Jealousies were capable of no other Remedies, than such as were prescribed by those Physicians, who were practised in the Disease. Assoon as the intelligence was arriv'd at *London*, that the King actually had a Guard (though the Circumstances were as well known that were used in the raising it) both Houses publish'd these three Votes, and dispersed them.

1. "That it appear'd, that the King, seduced by wicked "Counsel, intended to make War against the Parliament; "who, in all their Consultations and Actions, had proposed "no other end unto themselves, but the care of his King-"doms, and the performance of all Duty, and Loyalty to his "Person.

2. "That whensoever the King maketh War upon the "Parliament, it is a breach of the Trust reposed in him by his "People; contrary to his Oath; and tending to the Disso-"lution of the Government.

3. "That whosoever should Serve him, or Assist him in "such Wars, are Traytors by the Fundamental Laws of the "Kingdom; and have been so adjudged by two Acts of "Parlia-

"Parliament, 2 *Rich.* II. and 1 *Hen.* IV. and ought to suffer as "Traytors.

THESE lusty Votes they sent to the King to *York*, together with a short Petition, in which they told him,

"THAT his Loyal Subjects, the Lords and Commons in "Parliament did humbly present unto his Majesty, that not- "withstanding his frequent professions to his Parliament, and "the Kingdom, that his desire, and intention was only the "preserving the true Protestant Profession, the Laws of the "Land, the Liberty of his People, and the Peace of the King- "dom; nevertheless, they perceived with great grief, by his "Speech of the Twelfth of *May*, and the Paper, Printed in his "Majesty's Name, in the form of a Proclamation, bearing "date the Fourteenth of *May*, and other Evidences, that, un- "der colour of raising a Guard to secure his Person, of which "Guard (considering the Fidelity, and Care of his Parlia- "ment) there could be no use, his Majesty did Command "Troops, both of Horse and Foot to assemble at *York*; the "very beginnings whereof were apprehended by the Inhabi- "tants of that County to be an Affrightment, and Disturbance "of his Liege People, as appeared by their Petition pre- "sented to him; the continuing, and increasing of which "Forces, was to his Parliament, and must needs be, a just Cause "of great Jealousy, and Danger to his whole Kingdom. *The two Houses Petition the King to Dissolve his Guards, May 23, 1642.*

"THEREFORE, they did humbly beseech his Majesty "to Disband all such Forces, as, by his Command, were as- "sembled, and relying for his Security (as his Predecessors "had done) upon the Laws, and Affections of his People, "he would be pleased to desist from any further designs of "that nature, contenting himself with his usual, and ordinary "Guards; otherwise, they should hold themselves bound in "duty towards God, and the Trust reposed in them by the "People, and the Fundamental Laws and Constitutions of "the Kingdom, to imploy their Care, and utmost Power to "secure the Parliament, and to preserve the Peace, and Quiet "of the Kingdom.

TO this Petition, deliver'd publickly, and read with an equal confidence, by their Leiger Committee, his Majesty Answer'd,

"THAT he could not but extremely wonder, that the "causeless Jealousies concerning his Majesty, raised and fo- "mented by a Malignant Party in the Kingdom, which de- "sired nothing more than to snatch to themselves particu- "lar Advantages out of a general Combustion (which means "of advantage should never be minister'd to them by His "fault, or seeking) should not only be able to seduce a Weak "Party in the Kingdom, but seem to find so much Counte- *His Majesty's Answer.*

"nance even from both Houſes, as that his raiſing of a Guard, "without further deſign than for the ſafety of his Perſon, an "Action ſo legal, in a manner ſo Peaceable, upon Cauſes ſo "evident and neceſſary, ſhould not only be looked upon, "and Petition'd againſt by them, as a cauſe of Jealouſy; but "declared to be raiſing of a War againſt them, contrary to "his former profeſſions of his care of Religion, and Law: "and he no leſs wonder'd, that That Action of his ſhould be "ſaid to be apprehended by the Inhabitants of that County, "as an Affrightment, and Diſturbance to his People, having "been as well receiv'd there, as it was every where to be "juſtify'd; and (he ſpake of the general, not of a few re-"duced particulars) aſſiſted, and ſped by that County, with "that Loyal Affection and Alacrity, as was a moſt excellent "example ſet to the reſt of the Kingdom, of their care of "his ſafety upon all occaſions; and ſhould never be forgotten "by Him, nor he hoped, by his Poſterity: but ſhould be "ever paid to them, in that, which is the proper expreſſion "of a Prince's gratitude, a perpetual, vigilant care to govern "them juſtly, and to preſerve the only Rule, by which they "can be ſo govern'd, the Law of the Land; and, he ſaid, he "was confident, that if they were themſelves Eye-witneſſes, "they would ſo ſee the contrary, as to give little preſent "Thanks, and, hereafter, little Credit to their Informers; "and, if they had no better information, and intelligence of "the Inclinations, and Affections of the reſt of the Kingdom, "certainly the minds of his People (which to ſome Ends, "and Purpoſes, they did repreſent) were but ill repreſented "unto them.

"He asked them, when they had ſo many Months toge-"ther not contented themſelves to rely for Security, as their "Predeceſſors had done, upon the Affection of the People, "but by their own ſingle Authority had raiſed to themſelves "a Guard (and that ſometimes of no ordinary Numbers, "and in no ordinary Way) and yet all thoſe Pikes, and Pro-"teſtations, that Army, on one ſide, and that Navy, on the "other, had not perſwaded his Majeſty to Command them "to Disband their Forces, and to content themſelves with "their Ordinary, that was, no Guard; or work in him an "opinion that they appear'd to levy War againſt him, or had "any further deſign; how it was poſſible, that the ſame Per-"ſons ſhould be ſo apt to ſuſpect, and condemn his Majeſty, "who had been ſo unapt, in the ſame matter, upon much "more ground, to tax or ſuſpect Them? This, he ſaid, was "his Caſe, notwithſtanding the Care and Fidelity of his Par-"liament, his Fort was kept by Arm'd Men againſt him; his "proper Goods firſt detained from him, and then, contrary

"to

"to his Command, by ſtrong Hand offer'd to be carried away; "in which, at once, all his Property, as a private Perſon; all "his Authority, as a King, was wreſted from him, and yet "for him to ſecure himſelf in a Legal way, that Sr *John Ho-* "*tham* might not by the ſame Forces, or by more, raiſed by "pretence of the ſame Authority (for he daily raiſed ſome, "and it was no new thing for him to pretend Orders, which "he could not ſhew) continue the War that he had Levied "againſt his Majeſty; and as well Impriſon his Perſon, as de- "tain his Goods; and as well ſhut him up in *York*, as ſhut "him out of *Hull*; was now ſaid to be eſteem'd a cauſe of "great Jealouſy to the Parliament, a raiſing a War againſt "them, and of danger to the whole Kingdom: whilſt theſe "Injuſtices, and Indignities offer'd to him were countenanced "by them, who ought to be moſt forward in his Vindica- "tion, and their Puniſhment, in obſervation of their Oaths, "and Truſt repoſed in them by the People, and to avoid the "Diſſolution of the preſent Government. Upon which Caſe, "he ſaid, the whole World was to judge, whether his Majeſty "had not reaſon, not wholly to rely upon the Care, and "Fidelity of his Parliament, being ſo ſtrangely blinded by "Malignant Spirits, as not to perceive his Injuries; but to "take ſome care of his own Perſon, and, in order to that, to "make uſe of that Authority, which the Laws declar'd to be "in his Majeſty: and, whether that Petition, which ſuch a "threatning Concluſion, accompanied with more threatning "Votes, gave him not cauſe, rather to increaſe, than to di- "miniſh his Guards; eſpecially, ſince he had ſeen, before the "Petition, a Printed Paper dated the ſeventeenth of *May*, "underwritten by the Clerk of the Houſe of Commons, "commanding in the name of both Lords and Commons, the "Sheriffs of all Counties to raiſe the power of all thoſe Coun- "ties, to ſuppreſs ſuch of his Subjects, as, by any of his Ma- "jeſty's Commands, ſhould be drawn together, and put (as "that Paper called it) in a poſture of War; Charging all his "Majeſty's Officers, and Subjects to aſſiſt them in it, at their "Perils. For though, he ſaid, he could not ſuſpect, that That "Paper; or any bare Votes, not grounded upon Law or "Reaſon; or Quotations of repeal'd Statutes, as thoſe were "of the 2 *Rich.* II. and 1 *Henr.* IV. ſhould have any ill influence "upon his good People, who knew their Duties too well not "to know that to take up Arms againſt thoſe, who, upon a "Legal Command of his Majeſty, came together to a moſt "Legal end (that was, his Majeſty's Security, and Preſerva- "tion) were to Levy War againſt his Majeſty; yet, if that "Paper were really the Act of both Houſes, he could not "but look upon it, as the higheſt of Scorns and Indignities;

"Firſt,

"Firſt, to iſſue out Commands of Force againſt him; and "after thoſe had appear'd uſeleſs, to offer, by Petition, to "perſwade him to that which that Force ſhould have ef- "fected.

"He ſaid, He concluded his Anſwer to their Petition with "his Counſel to them, that they would joyn with him in ex- "acting ſatisfaction for that unparallel'd, and yet unpuniſhed "Action of Sr *John Hotham*; and that they would command "his Fort, and Goods to be return'd to his own hands: that "they would lay down all pretences (under pretence of Ne- "ceſſity, or declaring what is Law) to make Laws without "his Majeſty, and, by conſequence, but a Cipher of his Ma- "jeſty: that they would declare effectually againſt Tumults, "and call in ſuch Pamphlets (puniſhing the Authors and "Publiſhers of them) as Seditiouſly endeavour to diſable his "Majeſty from protecting his People, by weakning, by falſe "Aſperſions and new falſe Doctrines, his Authority with "them, and their Confidence in him: the particulars of "which Tumults, and Pamphlets, he ſaid, he would long "ſince have taken care, his Learned Council ſhould have "been enabled to give in evidence, if, upon his former offer, "his Majeſty had receiv'd any return of encouragement from "them in it: and, he ſaid, if they did that, they would "then, and hardly till then, perſwade the World, that they "had diſcharged their Duty to God, the Truſt reſpoſed in "them by the People, and the Fundamental Laws, and Con- "ſtitutions of the Kingdom; and imploy'd their care, and ut- "moſt Power, to ſecure the Parliament (for, he ſaid, he was "ſtill a part of the Parliament, and ſhould be, till this well "temper'd Monarchy was turned to a Democracy) and to "preſerve the Peace and Quiet of the Kingdom; which, to- "gether with the Defence of the Proteſtant Religion, the "Laws of the Land, and his own juſt Prerogative (as a part "of, and a defence to thoſe Laws) had been the main end, "which in his Conſultations and Actions, he had propoſed, "to Himſelf.

It will be wonder'd at hereafter, that in a judging and diſcerning State, where Men had, or ſeem'd to have, their faculties of Reaſon, and Underſtanding at the height; in a Kingdom then unapt, and generally uninclined to War (how wantonly ſoever it hath ſince ſeem'd to throw away it's Peace) thoſe Men, who had the skill and cunning, out of froward and peeviſh humours and indiſpoſitions to compound Fears and Jealouſies, and to animate and inflame thoſe Fears and Jealouſies into the moſt prodigious, and the boldeſt Rebellion, that any Age, or Country ever brought forth; who very well ſaw, and felt that the King had not only, to a degree,

degree, wound himſelf out of that Labyrinth, in which, four Months before, they had involv'd him, with their Privileges, Fears, and Jealouſies; but had even ſo well informed the People, that they begun to queſtion both the Logick and their Law, and to ſuſpect, and cenſure the improvement, and gradation of their Fears, and the extent, and latitude of their Privileges; and that they were not only denied by the King, what they required, but that the King's Reaſons of his denial made very many conclude the unreaſonableneſs of their demands: I ſay, it may ſeem ſtrange, that theſe Men could entertain the hope, and confidence to obtrude ſuch a Declaration, and Vote, upon the People, "That the King did intend to make War againſt the Parliament; when they were ſo far from apprehending, that he would be able to get an Army to diſturb them, that they were moſt aſſured, he would not be able to get Bread to ſuſtain Himſelf three Months, without ſubmitting all his Counſels to their Conduct, and Controle: and that the offering to impoſe it, did not awaken the People to an indignation, which might have confounded them: for, beſides the Preſumption in endeavouring to Search, what the Scripture it ſelf told them was Unſearchable, the Heart of the King; the very Law of the Land, whoſe defence they pretended, makes no concluſion of the intention of the meaneſt Subject, in a matter of the higheſt, and tendereſt Conſideration, even Treaſon it ſelf againſt the Life of the King, without ſome overt, unlawful Act, from whence, and other circumſtances, the ill intention may be reaſonably made appear; and therefore, to declare that the King intended to make War againſt his Parliament, when he had neither Ship, Harbour, Arms nor Money, and knew not how to get any of them, and when he offer'd to Grant any thing to them, which they could pretend a juſtifiable reaſon for asking, was an undertaking of that Nature, that even the Almightineſs of a Parliament might have deſpair'd to ſucceed in.

But, notwithſtanding all this, they very well knew what they did, and underſtood what infinite advantage that Vote would (as it did) bring to them; and that a Natural way would never bring them to their unnatural end. The Power and Reputation of Parliament, they believ'd, would implicitly prevail over many; and amaze and terrify others from diſputing, or cenſuring what they did, and upon what grounds they did it. The difficulty was, to procure the judgment of Parliament; and to incline thoſe different Conſtitutions, and different Affections, to ſuch a Concurrence, as the judgment might not be diſcredited, by the number of the Diſſenters; nor wounded, or prejudged by the Reaſons, and Argu-

Arguments given againſt it: and then, their judgments of the Cure being to be grounded upon the nature, and information of the Diſeaſe, it was neceſſary to confine, and contract their fancies and opinions within ſome bounds, and limits: the myſtery of Rebellion challenging the ſame encouragement with other Sciences, to grow by; that there may be certain Poſtulata, ſome Principles and Foundations, upon which the main building may ſubſiſt. So, in the caſe of the Militia, an imminent danger muſt be firſt ſuppoſed, by which the Kingdom is in apparent hazard, and then the King's refuſal to apply any remedy againſt that danger, before the two Houſes would pretend to the Power of diſpoſing that Militia: it being too ridiculous to have pretended the natural and ordinary Juriſdiction over it: but, in caſe of danger, and danger ſo imminent, that the uſual recourſe would not ſerve the turn, and for the ſaving of a Kingdom, which muſt otherwiſe be loſt, many Good Men thought it was reaſonable to apply a very Extraordinary prevention, without imagining ſuch a ſuppoſition might poſſibly engage them in any Action, contrary to their own Inclinations; and, without doubt, very many who frankly Voted that imminent neceſſity, were induced to it, as an Argument, that the King ſhould be therefore importun'd to conſent to the Settlement; which would not have appear'd ſo neceſſary a Requeſt, if the occaſion had not been important; never ſuſpecting, that it would have been improved into an Argument to them, to adventure the doing it without the King's conſent. And it is not here unſeaſonable (how merry ſoever it may ſeem to be) as an inſtance of the Incogitancy, and Inadvertency of thoſe kind of Votes and Tranſactions, to remember that the firſt Reſolution of the Power of the Militia being grounded upon a ſuppoſition of an imminet neceſſity, the Ordinance firſt ſent up, from the Commons, to the Lords, for the execution of the Militia, expreſſed an *eminent* neceſſity; whereupon, ſome Lords, who underſtood the difference of the Words, and that an eminent neceſſity might be ſupplied by the ordinary proviſion, which, poſſibly, an *imminent* neceſſity might not ſafely attend, deſired a Conference with the Commons, for the Amendment; which, I remember, was at laſt, with great difficulty, conſented to: many (who, I preſume, are not yet grown up to conceive the difference) ſuppoſing it an unneceſſary contention for a Word, and ſo yielding to them, for ſaving of time, rather than diſpute a thing which to them ſeem'd of no great moment.

They, who contriv'd this Scene, never doubted, but after a Reſolution what was to be done upon a Suppoſed neceſſity, they ſhould eaſily, when they found it convenient, make

make that neceſſity Real. It was no hard matter to make the Fearful, apprehenſive of dangers; and the Jealous, of deſigns; and they wanted not Evidence of all kinds; of Letters from abroad, and Diſcoveries at home, to make thoſe apprehenſions formidable enough; and then, though, before the Reſolution, there was a great latitude in Law and Reaſon, what was Lawfully to be done, they had Now forejudged themſelves, and Reſolv'd of the Proper remedy, except they would argue againſt the Evidence; which Uſually would have been to diſcountenance, or undervalue ſome Perſon of notable reputation, or his Correſpondence; and always to have oppoſed That that was of ſuch an Allay, as, in truth, did operate upon the Major Part. So, in the Caſe upon which we now diſcourſe, if they had in the moſt advantageous Article of their fury, profeſſed the raiſing an Army againſt the King, there was yet that reverence to Majeſty, and that Spirit of Subjection and Allegiance in moſt Men, that they would have looked upon it with Oppoſition and Horrour: but Defenſive Arms were more plauſible Divinity, and if the King ſhould commit ſuch an Outrage, as to levy War againſt his Parliament, to deſtroy the Religion, Laws, and Liberty of the Kingdom, Good men were perſwaded, that ſuch a reſiſtance might be made, as might preſerve the Whole; and he that would have argued againſt this Theſis, beſides the Impertinency of arguing againſt a ſuppoſition, that was not like to be Real, and in which the Corrupt conſideration of Safety ſeem'd to bribe moſt Men, could never eſcape the cenſure of promoting Tyranny, and lawleſs Dominion. Then to incline Men to concur in the Declaration "Of the King's In-"tention to make War againſt the Parliament, they were perſwaded it might have a Good, and Could have no ill effect: the remedies, that were to be applied upon an Actual levying of War, were not juſtifiable upon the Intention; and the declaring this Intention, and the Dangers it carried with it to the King himſelf, and to all thoſe who ſhould aſſiſt him, would be a probable means of reforming ſuch Intention, and preventing the Execution: Inconvenience it could produce none (for the diſquieting or diſpleaſing the King was not thought Inconvenient) if there were no progreſs in the ſuppoſed Intention; if there were, it were fit the whole Kingdom ſhould ſtand upon it's Guard, and not be Surpriſed to it's confuſion.

By theſe falſe and fallacious Mediums, the clearneſs of Men's underſtandings were dazled; and upon the matter, all their opinions, and judgments for the Future, captivated and præengaged by their own Votes, and Determinations. For, how eaſy a matter is it to make it appear to that man, who conſented

consented that the King intended to make War against the Parliament; that when he should Do it, he had broken his Oath, and dissolved his Government; and, that whosoever should assist him were Traytors; I say, how easy was it to perswade That man, that he was obliged to defend the Parliament; to endeavour to uphold That Government; and to resist Those Traytors? and, whosoever considers that the nature of men, especially of men in Authority, is inclined rather to Commit two errours, than to Retract one, will not marvel, that from this Root of unadvisedness, so many, and tall Branches of mischief have proceeded. And therefore, it were to be wished, that those who have the honour to be trusted in Publick Consultations, were indued with so much natural Logick, to discern the consequences of every publick Act, and Conclusion; and with so much Conscience and Courage, to watch the first impressions upon their understanding and compliance: and that neither out of the Impertinency of the thing, which men are all apt to conclude out of impatiency of dispatch; or out of Stratagem to make men Odious (as in this Parliament many forbore to oppose unreasonable resolutions, out of an opinion that they would make the Contrivers Odious) or upon any other (though seeming never so Politick) considerations, they consent not to any Propositions, by which Truth or Justice are invaded. I am confident, with very good Warrant, that many men have, from their Souls, abhorred every Article of this Rebellion; and heartily deprecated the miseries, and desolation we have suffer'd by it, who have Themselves, with great alacrity and industry, contributed to, if not contrived, those very Votes and Conclusions, from whence the Evils they abhor, have most naturally and regularly flowed, and been deduced; and which they could not reasonably, upon their own concessions, contradict and oppose.

But to conclude, a man shall not unprofitably spend his contemplation, that, upon this occasion, considers the method of God's Justice (a method terribly remarkable in many Passages, and upon many Persons; which we shall be compelled to remember in this discourse) that the same Principles, and the same Application of those Principles, should be used to the wresting all Soveraign Power from the Crown, which the Crown had a little before made use of for the extending it's Authority, and Power, beyond it's bounds, to the prejudice of the just Rights of the Subject. A supposed Necessity was Then thought ground enough to create a Power, and a bare Averment of that Necessity, to beget a Practice to impose what Tax they thought convenient upon the Subject, by Writs of Ship-money never before known; and a supposed Necessity

Neceſſity now, and a bare Averment of that Neceſſity, is as confidently, and more Fatally, concluded a good ground to exclude the Crown from the uſe of any Power, by an Ordinance never before heard of; and the ſame Maxim of *Salus Populi Suprema Lex*, which had been uſed to the infringing the Liberty of the One, made uſe of for the deſtroying the Rights of the other: only that of the Pſalmiſt is yet Inverted; for many of thoſe, who were the Principal makers of the firſt Pit, are ſo far from falling into it, that they have been the chiefeſt Diggers of the ſecond Ditch, in which ſo many have been confounded.

THOUGH they had yet no real Apprehenſion, that the King would be able, in the leaſt degree, to raiſe a Force againſt them, yet they were heartily enraged to find that he lived more like a King, than they wiſhed he ſhould; that there was ſo great reſort to him from all parts; and that whereas little more than two Months before, his own Servants durſt hardly avow the waiting on him, Now the chief Gentlemen of all Counties Travelled to him, to tender their Service; which implied a Diſapprobation at leaſt, if not a Contempt of the two Houſes carriage towards him. Therefore, to prevent this miſchief, they eaſily found exception to, and information againſt, ſome Perſons, who had reſorted to *York*; whom they ſent the Serjeant of the Houſe of Commons to apprehend, and bring them before the Houſe as Delinquents, to Anſwer ſuch matters, as ſhould be objected againſt them. In this Number there was one *Beckwith*, a Gentleman of *York ſhire*, who, as Sr *John Hotham* had ſent them word, had endeavour'd to corrupt ſome Officers of the Garriſon to deliver *Hull* up to the King; this they declar'd to be a very heinous crime, and little leſs than High Treaſon, and therefore concluded him a Delinquent, and to be ſent for to attend them: it was thought ſtrangely ridiculous by Standers by, that Sr *John Hotham* ſhould be juſtify'd for keeping the Town againſt the King, and another Gentleman be Voted a Delinquent for deſigning to recover it to it's Allegiance; and that They, who, but few days before, when the King had ſent a Warrant to require Serjeant-Major *Skippon* to attend his Majeſty at *York*, Reſolv'd, and publiſhed their Reſolution in Print (as they did all things, which they conceiv'd might diminiſh the Reputation of the King, or his Authority) "That ſuch Command "from his Majeſty was againſt the Law of the Land, and the "Liberty of the Subject, and likewiſe (the Perſon being im-"ploy'd by Them to attend Their Service) againſt the Privi-"lege of Parliament; and therefore, that their Serjeant-Major-"General of the Forces of *London* (that was his Style) ſhould "continue to attend the Service of both Houſes according to "their

"their former Commands; should expect that their Warrant should be submitted to by those, who were waiting on the King, whose known legal Authority, severed from any thing that might be understood to relate to the Parliament, or it's Privileges, they had so flatly contradicted and contemned, that the same day on which they redeem'd their Officer *Skippon* from his Allegiance, and Duty of going to the King, being inform'd, that the King had sent a Writ to Adjourn the Term (Midsummer Term) to *York* from *Westminster*, which, without all question, was in his power legally to do, they declared, "That the King's removing of the Term to *York* "from *Westminster*, sitting the Parliament, was illegal; and Order'd, "That the Lord Keeper should not issue out any "Writs, or Seal any Proclamation, to that purpose; which was by him observ'd accordingly, notwithstanding the King's Command for the Adjournment.

When their Officer came to *York* for the apprehension of the Delinquents, he found the same neglect There of the Parliament, as was found Above of the King; and was so ill intreated by those, whom he looked upon as his Prisoners, that if the King's extraordinary provision had not been interposed, the Messenger would scarce have return'd to have reported how uncurrent such Warrants were like to be in *York*, and how perillous such Voyages might prove to the Adventurers: But how amazed, or surprised soever they seem'd to be with this new contradiction, it was no more than they looked for; for their Dilemma was, if their Messenger return'd with his Prize, all the resort to, and all the glory of *York* was determined; for no man would repair thither, from whence the bare Voting him a Delinquent would remove him with those other inconvenient Circumstances of Censure, and Imprisonment: if He return'd neglected and affronted, as they presumed he would, they had a new Reproach for the King, "Of protecting Delinquents against the Justice of Parliament; which would be a new breach of their Privileges, as Heinous and Unpopular, as had yet been made, and for the vindication whereof their Protestation would no less oblige them, than it had done on the behalf of the five Members. And such Votes they passed upon the return of their Officer; and had in readiness prepared two voluminous Declarations to the People, which they publish'd about the same time; the One fill'd with all the reiterated Complaints, and invenom'd repetitions, of what had been done, or been Thought to have been done amiss in the whole Reign of the King, to render his Person odious, or unacceptable; the Other undervaluing his Royal Power, and declaring against it, to make his Authority despised, at least not Fear'd.

The

THE first was of the nineteenth of *May*, in which they declar'd,

The Declaration or Remonstrance of the Lords and Commons, May 19. 1642.

"THAT the infinite Mercy, and Providence of the Almighty God had been abundantly manifested, since the beginning of this Parliament, in great variety of Protections, and Blessings; whereby he had not only delivered Them from many wicked Plots and Designs, which, if they had taken effect, would have brought Ruine and Destruction upon the Kingdom; but, out of those Attempts, had produced divers evident and remarkable Advantages, to the furtherance of those Services, which they had been desirous to perform to their Soveraign Lord the King, and to the Church and State, in providing for the publick Peace, and Prosperity of his Majesty, and all his Realms; which, in the presence of the same All-seeing Deity, they protested to have been, and still to be, the only End of all their Counsels and Endeavours; wherein they had Resolv'd to continue freed, and enlarged from all Private aims, Personal respects, or Passions whatsoever,

"IN which Resolution, they said, they were nothing discouraged, although the Heads of the Malignant Party disappointed of their Prey, the Religion and Liberty of the Kingdom, which they were ready to seise upon, and devour before the Beginning of this Parliament, had still persisted by new practices, both of force and subtilty, to recover the same again; for which purpose they had made several Attempts for bringing up the Army; they afterwards projected the false Accusation of the Lord *Kimbolton*, and the five Members of the House of Commons, which being in it self of an odious Nature, they had yet so far prevail'd with his Majesty, as to procure him to take it upon himself; but when the unchangeable Duty and Faithfulness of the Parliament could not be wrought upon, by such a Fact as that, to withdraw any part of their Reverence and Obedience from his Majesty, they had, with much Art and Industry, advised his Majesty so suffer divers unjust Scandals, and Imputations upon the Parliament, to be published in his Name, whereby they might make it odious to the People, and, by Their help, destroy that, which hitherto had been the only means of their own Preservation.

"FOR this purpose, they had drawn his Majesty into the Northern Parts far from the Parliament; that so false Rumours might have time to get Credit, and the just Defences of the Parliament find a more tedious, difficult, and disadvantageous Access, after those false Imputations, and Slanders had been first rooted in the apprehension of his Majesty, and his Subjects; which the more speedily to effect, they

"had caused a Press to be transported to *York*, from whence "several Papers, and Writings of that kind were conveyed to "all parts of the Kingdom, without the Authority of the "Great Seal, in an unusual and illegal manner, and without "the Advice of his Majesty's Privy Council; from the greater "and better part whereof having withdrawn himself, as well "as from his Great Council of Parliament, he was thereby ex-"posed to the wicked and unfaithful Counsels of such, as had "made the Wisdom and Justice of the Parliament dangerous "to themselves; and that danger they labour'd to prevent by "hiding their own Guilt under the Name, and shadow of the "King; infusing into him their own Fears, and, as much as "in them lay, aspersing his Royal Person and Honour with "their own Infamy; from both which it had always been as "much the Care, as it was the Duty, of the Parliament "to preserve his Majesty, and to fix the Guilt of all evil "Actions and Counsels upon those who had been the Au-"thors of them.

"AMONG divers Writings of that kind, they said, They "the Lords and Commons in Parliament, had taken into "their considerations two printed Papers; the first containing "a Declaration, which they had receiv'd from his Majesty in "Answer to that which had been presented to his Majesty "from both Houses at *New-Market*, the ninth of *March* 1641. "the other, his Majesty's Answer to the Petition of both "Houses, presented to his Majesty the 26th of *March* 1642. "Both which were filled with harsh Censures, and causeless "Charges upon the Parliament; concerning which they held "it necessary to give satisfaction to the Kingdom; seeing they "found it very difficult to satisfy his Majesty, whom, to their "great grief, they had found to be so engaged to, and pos-"sessed by those misapprehensions, which evil Counsellors "have wrought in him, that their most humble and faithful "Remonstrances had rather irritated and imbitter'd, than any "thing allay'd, or mitigated the sharp Expressions, which his "Majesty had been pleased to make in Answer to them; for "the manifestation whereof, and of their own Innocency, they "desired that all his Majesty's loving Subjects might take no-"tice of these Particulars:

"THEY knew no occasion given by them, which might "move his Majesty to tell them, that in their Declaration, "presented at *New-Market*, there were some Expressions dif-"ferent from the usual Language to Princes: neither did they "tell his Majesty, either in Words or in Effect, that if he "did not joyn with them in an Act, which he conceiv'd might "prove prejudicial and dangerous to Himself, and the whole "Kingdom, they would make a Law without Him, and im-

"pose

"pose it upon the People. That which they desired, they "said, was, that in regard of the Imminent Danger of the "Kingdom, the Militia, for the Security of his Majesty and "his People, might be put under the Command of such noble "and faithful Persons, as they had all cause to Confide in: "and such was the necessity of this Preservation, that they de- "clared, that if his Majesty should refuse to joyn with them "therein, the two Houses of Parliament, being the supreme "Court and highest Council of the Kingdom, were enabled, "by their own Authority, to provide for the repulsing of such "Imminent and Evident Danger, not by any New Law of "their own making, as had been untruly suggested to his "Majesty, but by the most Ancient Law of the Kingdom, "even that which is fundamental and essential to the Consti- "tution and Subsistence of it.

"ALTHOUGH they never desired, they said, to encourage "his Majesty to such Replies as might produce any contesta- "tion between him and his Parliament, of which they never "found better effect, than loss of Time, and hindrance of the "Publick Affairs; yet they had been far from telling him of "how little value his Words would be with them, much less "when they were accompanied with Actions of Love, and "Justice. They said, he had more reason to find fault with "those wicked Counsellors, who had so often bereaved Him "of the Honour, and his People of the Fruit of many gra- "cious Speeches which he had made to them, such as those "in the end of the last Parliament; that, on the word of a "King, and as he was a Gentleman, he would redress the "Grievances of his People, as well out of Parliament, as in it. "They asked, if the searching the Studies and Chambers, yea, "the Pockets of some, both of the Nobility and Commons, "the very next day; the Commitment of Mr *Bellacis*, Sr *John* "*Hotham*, and Mr *Crew*; the continued Oppressions by Ship- "money, Coat and Conduct-money; with the manifold Im- "prisonments, and other Vexations thereupon, and other en- "suing Violations of the Laws and Liberties of the Kingdom "(all which were the effects of evil Counsel, and abundantly "declar'd in their Remonstrance of the State of the King- "dom) were Actions of Love and Justice, suitable to such "Words as those?

"AS gracious was his Majesty's Speech in the beginning of "this Parliament; that he was Resolv'd to put himself freely "and clearly upon the Love, and Affection of his English Sub- "jects. They asked whether his causless Complaints and "Jealousies, the unjust Imputations so often cast upon his "Parliament, his denial of their necessary Defence by the Or- "dinance of the Militia, his dangerous absenting himself from

"his Great Council, like to produce such a mischievous Di-
"vision in the Kingdom, had not been more suitable to other
"Men's evil Counsels, than to his own Words? Neither,
"they said, had his latter Speeches been better used, and pre-
"served by those evil, and wicked Counsellors: Could any
"Words be fuller of Love and Justice, than those in his An-
"swer to the Message sent to the House of Commons, the 31st
"of *Decemb.* 1641. We do engage unto you solemnly the
"Word of a King, that the Security of all, and every one of
"you from Violence, is, and ever shall be, as much our Care,
"as the Preservation of Us and our Children? and could any
"Actions be fuller of Injustice and Violence, than that of the
"Atturney General, in falsly accusing the six Members of
"Parliament, and the other proceedings thereupon, within
"three or four days after that Message? For the full view
"whereof, they desired the Declaration made of those Pro-
"ceedings might be perused; and by those Instances (they
"could add many more) the World might judge who de-
"served to be taxed with disvaluing his Majesty's Words,
"they who had, as much as in them lay, stain'd and sully'd
"them with such foul Counsels; or the Parliament, who had
"ever manifested, with joy and delight, their humble Thank-
"fulness for those gracious Words and Actions of Love and
"Justice, which had been conformable thereunto.

"THE King, they said, had been pleased to Disavow the
"having, any such evil Counsel or Counsellors as were men-
"tion'd in their Declaration, to his Knowledge; and they
"held it their Duty humbly to Avow there were such, or
"else they must say, that all the ill things done of late in his
"Majesty's name, had been done by Himself; wherein they
"should neither follow the Direction of the Law, nor the af-
"fection of their own Hearts, which was, as much as might
"be, to clear his Majesty from all imputation of Misgovern-
"ment, and to lay the fault upon his Ministers. The false
"accusing of six Members of Parliament; the justifying
"Mr Atturney in that false accusation; the violent coming to
"the House of Commons; the denial of the Militia; the sharp
"Messages to both Houses contrary to the cumstoms of former
"Kings; the long and remote Absence of his Majesty from
"Parliament; the heavy and wrongful Taxes upon both
"Houses; the cherishing and countenancing a discontented
"Party in the Kingdom against them, were certainly the fruits
"of very evil Counsels, apt to put the Kingdom into a Combu-
"stion, to hinder the supplies of *Ireland*, and to countenance
"the Proceedings and Pretentions of the Rebels there; and
"the Authors of these evil Counsels, they conceived, must
"needs be known to his Majesty; and they hoped Their la-
"bouring

"bouring with his Majesty, to have those discovered and "brought to a just Censure, would not so much wound his "Honour in the opinion of his good Subjects, as his labour-"ing to preserve and conceal them.

"AND whereas his Majesty had said, He could wish that "his own immediate Actions which he avow'd, and his own "Honour might not be so roughly censured under the com-"mon Style of evil Counsellors; they said, that they could "also heartily wish that they had not cause to make that Style "so common; but how often, and undutifully soever, those "wicked Counsellors should fix their Dishonour upon the "King, by making his Majesty the Author of those evil "Actions, which were the effects of their own evil Counsels. "They his Majesty's Loyal and Dutiful Subjects could use no "other Style, according to that Maxim of the Law, *The King "can do no wrong*; but if any ill were committed in matter "of State, the Council; if in matter of Justice, the Judges "must answer for it.

"THEY said, They had laid no Charge upon his Majesty, "which should put him upon that Apology, concerning his "faithful and zealous Affection of the Protestant Profession: "neither did his Majesty endeavour to clear those in greatest "Authority about him, by whom they had said that design "had been potently carried on for divers years; and they "rather wished that the Mercies of Heaven, than the Judg-"ments, might be manifested upon them; but that there had "been such, there were such plentiful and frequent Evidences, "that they believ'd there was none, either Protestant or Pa-"pist, who had had any reasonable view of the Passages of "later Times, but, either in fear or hope, did expect a sud-"dain issue of that Design.

"THEY said, They had no way transgressed against the "Act of Oblivion, by remembring the intended War against "*Scotland*, as a Branch of that Design to alter Religion by "those wicked Counsels, from which God did then deliver "them, which they ought never to forget.

"THAT the Rebellion in *Ireland* was framed and che-"rished by the Popish, and Malignant Party in *England*, was "not only affirm'd by the Rebels, but, they said, might be "clear'd by many other proofs: the same Rebellious Prin-"ciples of pretended Religion, the same politick Ends were "apparent in both, and their malicious Designs and Practices "were masqued, and disguised with the same false colour of "their earnest Zeal to vindicate his Majesty's Prerogative, "from the supposed oppression of the Parliament. How much "those treacherous Pretences had been countenanced, by "some evil Council about his Majesty, might appear in this,

"that the Proclamation, whereby they were declared Traytors, was so long withheld, as to the second of *January*, "though the Rebellion broke forth in *October* before, and "then no more than forty Copies appointed to be Printed; "with a special Command from his Majesty not to exceed that "number; and that none of them should be publish'd, till "his Majesty's Pleasure was further signify'd, as by the Warrant appears, a true Copy whereof was annex'd to this Declaration; so that a few only could take notice of it; which "was made more observable, by the late contrary Proceedings against the *Scots*, who were in a very quick and sharp "manner Proclaimed; and those Proclamations forthwith "dispersed, with as much diligence as might be, throughout "all the Kingdom, and order'd to be read in all Churches, "accompanied with Publick Prayers, and Execrations. Another Evidence of favour and countenance to the Rebels, in "some of Power about his Majesty, was this, that they had "put forth, in his Majesty's Name, a causeless complaint against the Parliament, which speaks the same Language of "the Parliament which the Rebels do, thereby to raise a belief in Men's minds, that his Majesty's Affections were alienated, as well as his Person was removed, from that his "Great Council. All which, they said, did exceedingly retard the supplies of *Ireland*, and more advance the Proceedings of the Rebels, than any Jealousy or Misapprehension begotten in his Subjects, by the Declaration of the Rebels, Injunction of *Rosetti*, or Information of *Tristram Whetcomb*; so that considering the present State and Temper of both Kingdoms, his Royal Presence was far more "necessary here, than it could be in *Ireland*, for redemption "or protection of his Subjects there.

"And whether there were cause of his Majesty's great "Indignation, for being reproached to have intended Force "or Threatning to the Parliament, they desired them to consider who should read their Declaration, in which there "was no word tending to any such reproach; and certainly, "they said, they had been more tender of his Majesty's "Honour in that point, than he, whosoever he was, that did "write that Declaration; where, in his Majesty's Name, he "did call God to witness, he never had any such Thought, "or knew of any such Resolution of bringing up the Army; "which truly, they said, would seem strange to those, who "should read the Deposition of Mr *Goring*, the Information "of Mr *Piercy*, and divers other Examinations of Mr *Wilmot*, "Mr *Pollard*, and others; the other Examination of Captain "*Leg*, Sr *Jacob Ashley*, and Sr *John Conyers*; and consider "the condition and nature of the Petition, which was sent

"unto

"unto Sr *Jacob Aſhley*, under the approbation of C. R. which "his Majeſty had now acknowledged to be his own Hand; "and, being full of Scandal to the Parliament, might have "proved dangerous to the whole Kingdom, if the Army "ſhould have interpoſed betwixt the King and them, as was "deſired.

"THEY did not affirm that his Majeſty's Warrant was "granted for the Paſſage of Mr *Jermyn*, after the deſire of "both Houſes for reſtraint of his Servants; but only that he "did paſs over, after that reſtraint, by virtue of ſuch a War-"rant. They knew the Warrant bore date the day before "their deſire; yet they ſaid, it ſeem'd ſtrange to thoſe, who "knew how great reſpect and power Mr *Jermyn* had in Court, "that he ſhould begin his Journey in ſuch haſte, and in Ap-"parel ſo unfit for Travel, as a black Sattin Suit, and white "Boots, if his going away was deſign'd the day before.

"THE Accuſation of the Lord *Kimbolton*, and the five "Members of the Houſe of Commons, was called a breach of "Privilege; and truly ſo it was, and a very high one, far "above any ſatisfaction, that had been yet given: for, they "asked, how it could be ſaid to be largely ſatisfy'd, ſo long "as his Majeſty labour'd to preſerve Mr Atturney from puniſh-"ment, who was the viſible Actor in it? So long as his Ma-"jeſty had not only juſtify'd him, but by his Letter declar'd, "that it was his Duty to accuſe them, and that he would have "puniſhed him, if he had not done it? So long as thoſe "Members had not the means of clearing their Innocency, "and the Authors of that malicious Charge was undiſcover'd, "though both Houſes of Parliament had ſeveral times Peti-"tion'd his Majeſty to diſcover them, and that, not only upon "the grounds of Common Juſtice, but by Act of Parliament, "his Majeſty was bound to do it? So long as the King re-"fuſed to paſs a Bill for their diſcharge, alledging that the "Narrative in that Bill was againſt his Honour; whereby he "ſeem'd ſtill to avow the Matter of that falſe and ſcandalous "Accuſation, though he deſerted the Proſecution, offering "to paſs a Bill for their Acquittal; yet with intimation that "they muſt deſert the avowing their own Innocency, which "would more wound them in honour, than ſecure them in "Law? And in Vindication of that great Privilege of Parlia-"ment, they did not know that they had invaded any Privi-"lege belonging to his Majeſty, as had been alledg'd in that "Declaration.

"BUT, they ſaid, they looked not upon that only in the "notion of a breach of Privilege, which might be, though the "Accuſation were true or falſe; but under the notion of a "heinous Crime in the Atturney, and all other Subjects, who

"had a Hand in it; a Crime againſt the Law of Nature, a-
"gainſt the Rules of Juſtice; that Innocent Men ſhould be
"charged with ſo great an Offence as Treaſon, in the face of
"the higheſt Judicatory of the Kingdom, whereby their Lives
"and Eſtates, their Blood and Honour were endanger'd,
"without Witneſs, without Evidence, without all poſſibi-
"lity of Reparation in a legal Courſe; yet a Crime of ſuch
"a Nature, that his Majeſty's Command can no more War-
"rant, than it can any other Act of Injuſtice. Theſe things
"which were evil in their own Nature, ſuch as a falſe Teſti-
"mony or falſe Accuſation, could not be the ſubject of any
"Command, or induce any obligation of Obedience upon any
"Man, by any Authority whatſoever: therefore the Attur-
"ney, in that caſe, was bound to have refuſed to execute ſuch
"a Command, unleſs he had ſome ſuch Evidence or Teſti-
"mony, as might have Warranted him againſt the Parties, and
"be lyable to make ſatisfaction if it ſhould prove falſe; and it
"was ſufficiently known to every Man, and adjudg'd in Par-
"liament, that the King could be neither the Relator, In-
"former, or Witneſs. If it ſhould reſt as it was, without fur-
"ther ſatisfaction, no future Parliament could be ſafe, but that
"the Members might be taken, and deſtroy'd, at pleaſure;
"yea, the very Principles of Government, and Juſtice would
"be in danger to be diſſolved.

"THEY ſaid, they did not conceive, that Numbers did
"make an Aſſembly unlawful, but when either the end, or
"manner of their carriage ſhould be unlawful. Divers juſt
"occaſions, might draw the Citizens to *Weſtminſter*; where
"many publick and private Petitions, and other Cauſes were
"depending in Parliament; and why that ſhould be found
"more faulty in the Citizens, than the reſort every day in the
"Term of great Numbers to the ordinary Courts of Juſtice,
"they knew not: that thoſe Citizens were notoriouſly pro-
"voked, and aſſaulted at *Weſtminſter* by Colonel *Lunsford*,
"Captain *Hyde*, and others, and by ſome of the Servants of
"the Arch-Biſhop of *York*, was ſufficiently proved; and that
"afterwards they were more violently wounded, and moſt
"barbarouſly mangled with Swords, by the Officers and Sol-
"diers near *White-Hall*, many of them being without Wea-
"pons, and giving no cauſe of diſtaſte, was likewiſe proved
"by ſeveral Teſtimonies; but of any Scandalous or Seditious
"Miſdemeanours of Theirs, that might give his Majeſty good
"cauſe to ſuppoſe his own Perſon, or thoſe of his Royal Con-
"ſort or Children, to be in apparent danger, they had no
"proof ever offer'd to either Houſe; and if there had been
"any complaint of that kind, it was no doubt the Houſes
"would have been as forward to joyn in an Order, for the

"ſup-

"ſuppreſſing of ſuch Tumults, as they were, not long before, "upon another occaſion, when they made an Order to that "purpoſe; whereas thoſe Officers and Soldiers, which com- "mitted that Violence upon ſo many of the Cizitens at *White-* "*Hall*, were cheriſhed and foſter'd in his Majeſty's Houſe; "and when, not long after, the Common Council of *London* "preſented a Petition to his Majeſty for Reparation of thoſe "injuries, his Majeſty's Anſwer was, without hearing the "proof of the Complaints, that if any Citizen were wounded "or ill entreated, his Majeſty was confidently aſſured, that it "happen'd by their own evil, and corrupt Demeanours.

"THEY ſaid, they hoped, it could not be thought con- "trary to the Duty and wiſdom of a Parliament, if many con- "curring, and frequently reiterated, and renew'd Advertiſe- "ments from *Rome*, *Venice*, *Paris*, and other Parts; if the Sol- "licitations of the Pope's Nuncio, and their own diſcon- "tented Fugitives, did make them jealous, and watchful for "the ſafety of the State: and they had been very careful to "make their expreſſions thereof ſo eaſy, and ſo plain to the "Capacity and Underſtanding of the People, that nothing "might juſtly ſtick with them, with Reflection upon the Per- "ſon of his Majeſty: wherein they appeal'd to the Judgment "of any indifferent Perſon, who ſhould read and peruſe their "own words.

"THEY ſaid, they muſt maintain the ground of their Fears "to be of that moment, that they could not diſcharge the "Truſt and Duty that lay upon them, unleſs they did apply "themſelves to the uſe of thoſe means, to which the Law "had enabled them in caſes of that nature, for the neceſſary "Defence of the Kingdom; and as his Majeſty did graci- "ouſly declare, that the Law ſhould be the meaſure of his "Power; ſo did they moſt heartily profeſs, that they ſhould "always make it the Rule of their Obedience. Then they "obſerved, that there were certain Prudent Omiſſions in his "Majeſty's Anſwer; and ſaid, that the next point of their "Declaration, was, with much caution, artificially paſſed over "by him who drew his Majeſty's Anſwer; it being indeed "the Foundation of all Their Miſery, and his Majeſty's "Trouble, that he was pleaſed to hear general Taxes upon his "Parliament, without any particular Charge, to which they "might give ſatisfaction; and that he had often conceived "Diſpleaſure againſt particular Perſons, upon Miſinforma- "tion; and although thoſe Informations, had been clearly "proved to be falſe, yet he would never bring the Accuſers "to queſtion; which did lay an impoſſibility upon honeſt Men "of clearing themſelves, and gave an encouragement to falſe, "and unworthy Perſons to trouble him with untrue and "ground-

"groundleſs informations. Three particulars they had men-
"tion'd in their Declaration, which the Penner of his Ma-
"jeſty's Anſwer had good cauſe to omit: the words ſuppoſed
"to have been ſpoken at *Kenſington*; the pretended Articles
"againſt the Queen; and the groundleſs Accuſation of the
"ſix Members of Parliament; there being nothing to be ſaid
"in Defence, or Denial of any of them.

"CONCERNING his Majeſty's deſire to joyn with his
"Parliament, and with his faithful Subjects, in defence of
"Religion, and the Publick good of the Kingdom, they ſaid,
"they doubted not he would do it fully, when evil Coun-
"ſellors ſhould be removed from about him; and until that
"ſhould be, as they had ſhew'd before of Words, ſo muſt
"they alſo ſay of Laws, that they could not ſecure them:
"witneſs the Petition of Right, which had been follow'd
"with ſuch an Innundation of illegal Taxes, that they had juſt
"cauſe to think, that the payment of Eight hundred and twen-
"ty thouſand Pounds, was an eaſy burthen to the Common-
"wealth in exchange of them; and they could not but juſtly
"think, that if there were a continuance of ſuch ill Coun-
"ſellors, and Favour to them, they would, by ſome wicked
"device or other, make the Bill for the Triennial Parliament,
"and thoſe other excellent Laws mention'd in his Majeſty's
"Declaration, of leſs value than words. That excellent Bill
"for the continuance of this Parliament, they ſaid, was ſo ne-
"ceſſary, that without it, they could not have raiſed ſo great
"Sums of Money for the Service of his Majeſty and the Com-
"mon-wealth, as they had done, and without which the ruine
"and deſtruction of the Kingdom, muſt needs have follow'd:
"and, they were reſolved, the gracious favour of his Majeſty,
"expreſſed in that Bill, and the advantage and ſecurity which
"thereby they had from being Diſſolv'd, ſhould not encou-
"rage them to do any thing, which otherwiſe had not been
"fit to have been done. And they were ready to make it
"good before all the World, that though his Majeſty had
"paſſed many Bills very advantageous for the Subject, yet in
"none of them had they bereaved his Majeſty of any juſt, ne-
"ceſſary, or profitable Prerogative of the Crown.

"THEY ſaid, they ſo earneſtly deſired his Majeſty's Re-
"turn to *London*, for that upon it, they conceived, depended
"the very Safety, and Being of both his Kingdoms: and
"therefore they muſt proteſt, that as for the time paſt, nei-
"ther the Government of *London*, nor any Laws of the Land,
"had loſt their Life and Force for his Security, ſo for the fu-
"ture they ſhould be ready to do, or ſay any thing, that
"might ſtand with the Duty, or Honour of a Parliament,
"which might raiſe a mutual Confidence between his Majeſty

"and

"and them, as they did wiſh, and as the Affairs of the King-
"dom did require.

"THUS far, they ſaid, the Anſwer to that, which was "called his Majeſty's Declaration, had led them. Now they "came to that, which was entituled his Majeſty's Anſwer to "the Petition of both Houſes, preſented to him at *York* the "26th of *March* 1642. In the beginning whereof, his Ma-"jeſty wiſhed, that their Privileges on all parts were ſo ſtated, "that That way of Correſpondency might be preſerved with "that Freedom, which had been uſed of old. They ſaid, "they knew nothing introduced by them, that gave any Im-"pediment thereunto; neither had they affirm'd their Privi-"leges to be broken, when his Majeſty denied them any "thing, or gave a Reaſon why he could not grant it; or "that thoſe, who adviſed ſuch Denial, were Enemies to the "Peace of the Kingdom, and Favourers of the *Iriſh* Rebel-"lion; in which Aſperſion, that was turn'd to a general Af-"ſerſion, which, in their Votes, was applied to a particular "caſe; wherefore they muſt maintain their Votes, that to "contradict that, which both Houſes, in the Queſtion con-"cerning the Militia, had declared to be Law, and Com-"mand it ſhould not be obeyed, is a high breach of Privilege, "and that thoſe, who adviſed his Majeſty to abſent himſelf "from his Parliament, were Enemies to the Peace of the King-"dom, and juſtly to be ſuſpected to be Favourers of the Re-"bellion in *Ireland*. The reaſons of both were evident, be-"cauſe, in the Firſt, there was as great a derogation from the "Truſt and Authority of Parliament; and, in the Secend, as "much advantage to the proceedings, and hopes of the Re-"bels, as might be; and they held it a very cauſleſs Imputa-"tion upon the Parliament, that they had therein any way "impeached, much leſs taken away the Freedom of his Ma-"jeſty's Vote; which did not import a Liberty in his Ma-"jeſty, to deny any thing how neceſſary ſoever for the Pre-"ſervation of the Kingdom, much leſs a Licence to evil Coun-"ſellors, to adviſe any thing, though never ſo deſtructive to "his Majeſty and his People.

"BY the Meſſage of the twentieth of *January*, his Majeſty "had propounded to both Houſes of Parliament, that they "would, with all ſpeed, fall into a ſerious Conſideration of "all thoſe particulars which they thought neceſſary, as well "for the upholding and maintaining of his Majeſty's Juſt, and "Regal Authority, and for the ſettling his Revenue, as for the "preſent and future eſtabliſhing their Privileges; the free "and quiet enjoying their Eſtates; the Liberties of their Per-"ſons; the Security of the true Religion, profeſſed in the "Church of *England*; and the ſettling of Ceremonies, in ſuch

"a man-

"a manner, as might take away all juſt Offence, and digeſt it "into one entire Body.

"To that point of upholding, and maintaining his Royal "Authority, They ſaid, nothing had been done to the pre- "judice of it, that ſhould require any new Proviſion: to the "other of ſettling the Revenue, the Parliament had no way "abrigd'd, or diſorder'd his juſt Revenue; but it was true, "that much waſte, and Confuſion of his Majeſty's Eſtate, had "been made by thoſe evil and unfaithful Miniſters, whom "he had imploy'd in the managing of it; whereby his own "ordinary Expences would have been diſappointed, and the "Safety of the Kingdom more endanger'd if the Parliament "had not, in ſome meaſure, provided for his Houſhold, and "for ſome of the Forts, more than they were bound to do; "and they were ſtill willing to ſettle ſuch a Revenue upon his "Majeſty, as might make him live Royally, Plentifully, and "Safely; but they could not, in Wiſdom, and Fidelity to the "Common-wealth, do that, till he ſhould chooſe ſuch Coun- "ſellors, and Officers, as might order and diſpoſe it to the "Publick Good, and not apply it to the Ruine, and Deſtru- "ction of his People, as heretofore it had been. But that, "and the other matters concerning themſelves, being works "of great Importance, and full of Intricacy, would require "ſo long a time of Deliberation, that the Kingdom might "be ruin'd before they could effect them: Therefore they "thought it neceſſary, firſt to be Suitors to his Majeſty, ſo to "order the Militia, that, the Kingdom being ſecured, they "might, with more eaſe and ſafety, apply themſelves to de- "bate of that Meſſage, wherein they had been interrupted, "by his Majeſty's denial of the Ordinance concerning the "ſame; becauſe it would have been in vain for them to La- "bour in other things, and in the mean time, to leave them- "ſelves naked to the Malice of ſo many Enemies, both at "Home and Abroad; yet they had not been altogether negli- "gent of thoſe things, which his Majeſty had been pleaſed to "propound in that Meſſage: They had agreed upon a Book "of Rates in a larger proportion, than had been granted to "any of his Majeſty's Predeceſſors, which was a Conſiderable "ſupport of his Majeſty's Publick Charge; and had likewiſe "prepared divers Propoſitions, and Bills, for Preſervation of "their Religion and Liberties, which they intended ſhortly to "preſent to his Majeſty; and to do whatſoever was fit for "them, to make up that unpleaſant breach between his Ma- "jeſty and the Parliament.

"WHEREAS divers exceptions had been taken concern- "ing the Militia; Firſt, that his Majeſty never denied the "Thing, but accepted the Perſons (except for Corporations,

"only

"only that he denied the Way; to which they Anſwer'd, "That that Exception took off *London*, and all other great "Towns and Cities, which make a great part of the King- "dom; and for the Way of Ordinance, it is ancient, more "ſpeedy, more eaſily alterable, and in all theſe, and other re- "ſpects, more proper, and more applicable to the preſent oc- "caſion, than a Bill; which his Majeſty called the good Old "Way of impoſing upon the Subjects: it ſhould ſeem, that "neither his Majeſty's Royal Predeceſſors, nor their Ance- "ſtors, had heretofore been of that opinion; 37 *Edw.* III. "they ſaid, they found this Record, The Chancellor made "Declaration of the Challenge of the Parliament; the King "deſires to know the Griefs of his Subjects, and to redreſs "Enormities. The laſt day of the Parliament, the King de- "manded of the whole Eſtates, whether they would have ſuch "things as they agreed on, by way of Ordinance, or Statute? "who Anſwer'd by way of Ordinance, for that they might "amend the ſame at their pleaſure; and ſo it was.

"BUT his Majeſty objected further, that there was ſome- "what in the Preface, to which he could not conſent with "Juſtice to his Honour and Innocence; and that thereby he "was Excluded from any power in the diſpoſing of it. Theſe "Objections, they ſaid, might ſeem ſomewhat, but indeed "would appear nothing, when it ſhould be conſider'd, that "nothing in the Preamble laid any charge upon his Majeſty, "or in the body of the Ordinance, that excludes his Royal "Authority in the diſpoſing, or execution of it: But only it "was provided, that it ſhould be ſignify'd by both Houſes of "Parliament, as that Channel, through which it would be "beſt derived, and moſt certainly to thoſe ends for which it "was intended; and let all the World judge whether they "had not reaſon to inſiſt upon it, that the ſtrength of the "Kingdom ſhould rather be order'd according to the Advice, "or Direction of the great Council of the Land, intruſted by "the King, and by the Kingdom, than that the ſafety of the "King, Parliament, and Kingdom, ſhould be left at the devo- "tion of a few unknown Counſellors, many of them not in- "truſted at all by the King in any publick way, nor at all Con- "fided in by the Kingdom.

"THEY wiſhed the Danger were not Imminent, or not "ſtill continuing, but could not conceive, that the long time "ſpent in that Debate was evidence ſufficient, that there was "no ſuch neceſſity or danger, but a Bill might eaſily have "been prepared; for, when many cauſes do concur to the "danger of a State, the interruption of any one might hinder "the execution of the reſt, and yet the deſign be ſtill kept "on foot, for better opportunities. Who knew, whether the

"ill

"ill ſucceſs of the Rebels in *Ireland* had not hinder'd the In-"ſurrection of the Papiſts here? Whether the preſervation "of the ſix Members of the Parliament, falſely accuſed, had "not prevented that Plot of the breaking the neck of this "Parliament, of which they were informed from *France*, "not long before they were accuſed; Yet ſince his Majeſty "had been pleaſed to expreſs his pleaſure rather for a Bill, "than an Ordinance, and that he ſent in one for that purpoſe, "they readily entertain'd it; and, with ſome ſmall and neceſ-"ſary alterations, ſpeedily paſſed the ſame. But contrary to "the cuſtom of Parliament, and their expectation, grounded "upon his Majeſty's own Invitation of them to that way, and "other reaſons manifeſted in their Declaration concerning "the Militia of the fifth of *May*, inſtead of the Royal Aſſent, "they met with an abſolute Refuſal.

"FOR their Votes of the fifteenth and ſixteenth of *March*, "they ſaid, if the Matter of thoſe Votes were according to "Law, they hoped his Majeſty would allow the Subjects to "be bound by them, becauſe he had ſaid, he would make "the Law the Rule of his Power; and if the Queſtion were, "whether that were Law, which the Lords and Commons, "had once declar'd to be ſo, Who ſhould be the judge? Not "his Majeſty; for the King judgeth not of Matters of Law, "but by his Courts; and his Courts, though ſitting by His "Authority, expected not his Aſſent in Matters of Law: nor "any other Courts; for they could not judge in that caſe, "becauſe they were Inferiour, no Appeal lying to them from "Parliament, the judgment whereof is, in the eye of the Law, "the King's judgment in his higheſt Court, though the King "in his Perſon be neither preſent, nor aſſenting thereunto.

"*The Votes at which his Majeſty took exception were theſe*:

1. "THAT the King's Abſence ſo far remote from his Par-"liament, was not only an Obſtruction, but might prove a "Deſtruction to the Affairs of *Ireland*.

2. "THAT when the Lords and Commons ſhall declare "what the Law of the Land is, to have this not only que-"ſtion'd and controverted, but contradicted, and a Command "that it ſhould Not be obeyed, was a high Breach of the Pri-"vilege of Parliament.

3. "THAT thoſe Perſons, who adviſed his Majeſty to ab-"ſent himſelf from the Parliament, are Enemies to the Peace "of the Kingdom, and juſtly may be ſuſpected to be favourers "of the Rebellion in *Ireland*.

"THAT the Kingdom had been of late, and ſtill was, in "ſo Imminent danger, both from Enemies abroad, and from "a Popiſh

"a Popiſh and Diſcontented Party at home, that there was "an urgent, and inevitable neceſſity of putting his Majeſty's "Subjects into a poſture of Defence, for the ſafeguard both "of his Majeſty and his People.

"THAT the Lords and Commons, fully apprehending "this Danger, and being ſenſible of their own Duty, to pro-"vide a ſuitable Prevention, had in ſeveral Petitions, addreſſed "themſelves to his Majeſty for the ordering, and diſpoſing "the Militia of the Kingdom in ſuch a way, as was agreed "upon, by the wiſdom of both Houſes, to be moſt effectual, "and proper for the preſent Exigence of the Kingdom, yet "could not obtain it; but his Majeſty did, ſeveral times, re-"fuſe to give his Royal Aſſent thereunto.

"THAT, in this Caſe of extreme Danger and his Maje-"ſty's Refuſal, the Ordinance of Parliament, agreed upon by "both Houſes, for the Militia, doth oblige the People, and "ought to be obeyed, by the Fundamental Laws of this "Kingdom.

"BY all which, they ſaid, it did appear, that there had "been no colour of that Tax, that they went about to in-"troduce a new Law, much leſs to exerciſe an Arbitrary "power, but indeed to prevent it: for this Law was as old "as the Kingdom; that the Kingdom muſt not be without a "means to preſerve it ſelf; which that it might be done with-"out confuſion, this Nation had intruſted certain Hands with "Power to provide, in an orderly and regular way, for the "Good and Safety of the Whole; which Power, by the Con-"ſtitution of the Kingdom, was in his Majeſty, and in his "Parliament together: yet ſince the Prince, being but one "Perſon, is more ſubject to accidents of Nature and Chance, "whereby the Common-wealth may be deprived of the Fruit "of that Truſt, which was, in part, repoſed in him; in caſes "of ſuch Neceſſity, that the Kingdom may not be inforced "preſently to return to it's firſt Principles, and every man "left to do what is right in his own Eyes, without either "Guide or Rule; the Wiſdom of this State hath intruſted "the Houſes of Parliament with a power to ſupply, what "ſhould be wanting on the part of the Prince, as is evident "by the conſtant Cuſtom, and Practice thereof, in caſes of "Nonage, natural Diſability, and Captivity; and the like "reaſon doth, and muſt hold for the exerciſe of the ſame "Power in ſuch caſes, where the Royal Truſt cannot be, or "is not diſcharged, and that the Kingdom runs an Evident, "and Imminent Danger thereby; which Danger having been "declar'd by the Lords and Commons in Parliament, there "needs not the Authority of any Perſon or Court to affirm,

"nor

"nor is it in the power of any Person or Court to revoke that "Judgment.

"THEY said, they knew, the King had ways enough, in "his ordinary Courts of Justice, to punish such seditious Pam- "phlets and Sermons, as were any ways prejudicial to his "Rights, Honour, and Authority; and if any of them had "been so insolently violated and vilify'd, his Majesty's own "Council and Officers had been to blame, and not the Parlia- "ment: They never had restrain'd any proceedings of that "kind in other Courts, nor refused any fit complaint to Them. "The Protestation protested, had been referred by the Com- "mons House to a Committee, and, the Author being not "produced, the Printer committed to Prison, and the Book "Voted by that Committee to be burn'd; but Sr *Edward* "*Deering*, who was to make that Report of the Votes of that "Committee, neglected to make it. The Apprentices Pro- "testation was never complain'd of; but the other seditious "Pamphlet, *To your Tents, O Israel*, was once question'd, and "the full prosecution of it was not interrupted by any fault of "either House, whose forwardness to do his Majesty all right "therein might plainly appear, in that a Committee of Lords "and Commons was purposely appointed, to take such In- "formations as the King's Council should present concern- "ing seditious Words, Practices or Tumults, Pamphlets or "Sermons, tending to the derogation of his Majesty's Rights "or Prerogative, and his Council had been enjoyn'd by that "Committee, to enquire and present them; who several "times met thereupon and received this Answer and Decla- "ration from the King's Council, that they knew of no such "thing as yet.

"THEY said, if his Majesty had used the Service of such "a One in penning that Answer, who understood the Laws "and Government of this Kingdom, he would not have "thought it Legally in his power to deny his Parliament a "Guard, when they stood in need of it; since every ordi- "nary Court hath it: neither would his Majesty, if he had "been well informed of the Laws, have refused such a Guard "as they desired, it being in the power of Inferiour Courts "to command their own Guard; neither would he have im- "posed upon them such a Guard, under a Commander which "they could not have Confided in; which is clearly against "the Privileges of Parliament, and of which they found very "dangerous effects; and therefore desired to have it discharg- "ged; But such a Guard, and so Commanded, as the Houses "of Parliament desired, they could never obtain of his Maje- "sty; and the placing a Guard about them, contrary to their "desire, was not to grant a Guard to them, but in effect to

"set

"ſet one Upon them: all which conſider'd, they believ'd, in "the judgment of any Indifferent Perſons, it would not be "thought ſtrange, if there were a more than ordinary reſort "of People to *Weſtminſter*, of ſuch as came willingly, of their "own accord, to be Witneſſes, and Helpers of the ſafety of "Them, whom all his Majeſty's good Subjects are bound to "defend from Violence, and Danger; or that ſuch a Con-"courſe as that (they carrying themſelves quietly and peace-"ably, as they did) ought in his Majeſty's apprehenſion, or "could, in the interpretation of the Law, be held Tumul-"tuary and Seditious.

"THEY ſaid when his Majeſty, in that Queſtion of Vio-"lation of the Laws, had expreſſed the obſervation of them "indefinitely, without any limitation of Time, although they "never ſaid, or thought any thing, that might look like a "Reproach to his Majeſty, yet they had reaſon to remem-"ber that it had been otherwiſe, leſt they ſhould ſeem to de-"ſert their former Complaints, and Proceedings thereupon, "as his Majeſty did ſeem but little to like or approve them; "for though he did acknowledge here that great miſchief, that "grew by that Arbitrary Power then complain'd of; yet ſuch "were continually preferred and countenanced, as were "Friends, or Favourers, or Related to the chief Authors and "Actors of that Arbitrary Power, and, of thoſe falſe colours, "and ſuggeſtions of Imminent danger and neceſſity, whereby "they did make it plauſible unto his Majeſty: and, on the "other ſide, ſuch as did appear againſt them were daily diſ-"countenanced, and diſgraced: which whilſt it ſhould be ſo, "they had no reaſon to believe the diſeaſe to be yet killed, "and dead at Root, and therefore no Reaſon to bury it in "Oblivion; and, whilſt they beheld the Spawns of thoſe miſ-"chievous Principles cheriſhed, and foſter'd in that new ge-"neration of Counſellors, Friends and Abettors of the for-"mer, or at leaſt Concurring with them in their Malignancy "againſt the proceeding of this Parliament, they could not "think themſelves ſecure from the like, or a worſe danger.

"THEY obſerv'd, the Penner of his Majeſty's Anſwer be-"ſtowed here an admonition upon the Parliament, bidding "them take heed They fell not upon the ſame errour, upon "the ſame ſuggeſtions; but, they ſaid, he might well have "ſpared that, till he could have ſhewed wherein they had "exerciſed any power, otherwiſe than by the Rule of the "Law; or could have found a more Authentick, or a Higher "Judge in matters of Law, than the high Court of Parlia-"ment.

"IT was declar'd in his Majeſty's Name, that he reſolv'd "to keep the Rule Himſelf, and, to his power, to require

"the same of all others. They said, they must needs ac-
"knowledge, that such a resolution was like to bring much
"happiness, and blessing to his Majesty, and all his King-
"doms; yet, with humility, they must confess, they had not
"the Fruit of it in that Case of the Lord *Kimbolton*, and the
"other five Members, accused contrary to Law, both Com-
"mon and the Statute Law; and yet remained unsatisfy'd:
"Which Case had been remember'd in their Declaration,
"as a strange and unheard of Violation of their Laws: But
"the Penner of that Answer thought fit to pass it over,
"hoping that many would read his Majesty's Answer, which
"had been so carefully dispersed, who would not read their
"Declaration.

"WHEREAS, after their ample thanks, and acknowledg-
"ment of his Majesty's favour in passing many good Bills, they
"had said, that truth and necessity inforced them to add this,
"that in, or about the time of passing those Bills, some De-
"sign or other had been on foot, which, if it had taken ef-
"fect, would not only have deprived them of the Fruit of
"those Bills, but would have reduced them to a worse con-
"dition of confusion, than that wherein the Parliament found
"them: it was now told them, that the King must be most
"sensible of what they had cast upon him, for the requital of
"those good Bills; whereas, out of their usual tenderness of
"his Majesty's honour, they did not mention Him at all;
"but so injurious, they said, were those wicked Counsellors
"to the Name, and Honour of their Master and Sovereign,
"that as much as they could, they laid their own Infamy and
"Guilt upon his Shoulders.

"HERE, they observed, God also was called to witness
"his Majesty's upright intentions at the passing of those
"Laws; which, they said, they would not question, neither
"did they give any occasion for such a solemn Asseveration,
"as that was; the Devil was likewise defied to prove there
"was any design, with his Majesty's knowledge or privity.
"That might well have been spared; for they spake no-
"thing of his Majesty: but since they were so far taxed, as
"to have it affirmed, that they had laid a false, and notorious
"Imputation upon his Majesty, they thought it necessary,
"for the just defence of their own Innocency, to cause the
"Oaths and Examinations, which had been taken, concern-
"ing the Design, to be published in a full Narration, for sa-
"tisfaction of all his Majesty's Subjects; out of which they
"would now offer some few Particulars, by which the world
"might judge, whether they could proceed with more tender-
"ness towards his Majesty, than they had done. Mr *Goring*
"confessed, that the King first asked him, whether he were

"engaged

"engaged in any Cabal concerning the Army? and command-
"ed him to joyn with Mr *Piercy*, and Mr *Fermyn*, and some
"others whom they should find at Mr *Piercy*'s Chamber;
"where they took the Oath of Secrecy, and then debated of
"a design proposed by Mr *Fermyn*, to secure the Tower, and
"to consider of bringing up the Army to *London*: and Cap-
"tain *Leg* confessed, he had received the draught of a Pe-
"tition, in the King's presence; and his Majesty acknow-
"ledgeth, it was from his own hand: and whosoever reads
"the Sum of that Petition, as it was proved by the Testimony
"of Sr *Jacob Ashley*, Sr *John Conyers*, and Captain *Leg*, will
"easily perceive some Points in it, apt to beget in them some
"Discontents against the Parliament. And could any Man
"believe there was no Design in the Accusation of the Lord
"*Kimbolton*, and the rest, in which his Majesty doth avow
"himself to be both a Commander, and an Actor? These
"things being so, it would easily appear to be as much
"against the Rules of Prudence, that the Penner of that An-
"swer should entangle his Majesty in that unnecessary Apo-
"logy, as it was against the Rules of Justice, that any Repa-
"ration from them should be either yielded or demanded.

"It was professed in his Majesty's Name, that he is truly
"sensible of the Burthens of his People; which made them
"hope that he would take that course, which would be most
"effectual to ease them of those burdens, that was, to joyn
"with his Parliament in preserving the Peace of the King-
"dom, which, by his Absence from them, had been much
"endanger'd; and which, by hindering the voluntary Ad-
"ventures for the recovery of *Ireland*, and disabling the Sub-
"jects to discharge the great Tax imposed on them, was like
"to make the War much more heavy to the Kingdom. And
"for his Majesty's wants, the Parliament had been no cause
"of them; They had not diminished his just Revenue, but
"had much eased his Publick Charge, and somewhat his
"Private; that they should be ready in a Parliamentary way,
"to settle his Revenue in such an Honourable proportion, as
"might be answerable to both, when he should put himself
"into such a posture of Government, that his Subjects might
"be secure to enjoy his just Protection for their Religion,
"Laws, and Liberties.

"They said, they never refused his Majesty's gracious
"Offer, of a free and general Pardon, only they said, it could
"be no Security to their present Fears and Jealousies: and
"they gave a Reason for it; that those Fears did not arise
"out of any Guilt of their own Actions, but out of the evil
"Designs and Attempts of others; and they left the World to
"judge, whether They therein had deserved so heavy a Tax

"and Exclamation? (That it was a strange World, when "Princes proffer'd Favours were counted Reproaches: such "were the words of his Majesty's Answer) who did esteem "that Offer as an Act of Princely Grace and Bounty, which, "since the Parliament begun, they had humbly desired they "might obtain, and did still hold it very necessary, and ad- "vantageous for the generality of the Subject, upon whom "the Taxes and Subsidies lie heaviest: but, they said, they "saw, upon every Occasion, how unhappy they were in his "Majesty's misapprehensions of their Words, and Actions.

"They said, they were fully of the King's mind, as it "was there declared, that he might rest so secure of the Affe- "ctions of his Subjects, that he should not stand in need of "Forreign Force to preserve him from Oppression; and were "confident, that he should never want an abundant evidence "of the good Wishes, and Assistance of his whole Kingdom; "especially if he would be pleased to hold to that gracious "Resolution of building upon that sure Foundation, the Law "of the Land; but why his Majesty should take it ill, that "they, having received Informations so deeply concerning "the safety of the Kingdom, should think them fit to be con- "sider'd of, they could not conceive; for although the Name "of the Person was unknown, yet that which was more sub- "stantial to the probability of the report was known, that is, "that he was servant to the Lord *Digby*; who, in his pre- "sumptuous Letter to the Queen's Majesty, and other Letters "to Sr *Lewis Dives*, had intimated some wicked Proposition, "suitable to that Information; but that this should require Re- "paration, they held it as far from Justice, as it was from "Truth that they had mixed any Malice with those Ru- "mours, thereby to feed the Fears and Jealousies of the Peo- "ple.

"It was affirmed, that his Majesty was driven From them, "but not By them; yet perchance, they said, hereafter, if "there should be opportunity of gaining more credit, there "would not be wanting who would suggest unto his Majesty, "that it was done By them: and if his Majesty were driven "from them, they hoped it was not by his own Fears, but "by the Fears of the Lord *Digby*, and his Retinue of Cava- "liers; and those no Fears of any Tumultuary violence, but "of their just punishment for their manifold insolence, and "intended violence against the Parliament: And this was ex- "pressed by the Lord *Digby* himself, when he told those Ca- "valiers, that the principal cause of his Majesty's going out "of Town, was to save Them from being trampled in the "Dirt: but of his Majesty's Person, there was no cause of "Fear; in the greatest heat of the People's Indignation, after

"the Accusation, and his Majesty's violent coming to the House, "there was no shew of any evil intention against his Regal "Person; of which there could be no better Evidence than this, "that he came the next day without a Guard into the City, "where he heard nothing but Prayers and Petitions, no Threat-"nings, or irreverent Speeches, that might give him any just "occasions of Fear, that they had heard of, or that his Ma-"jesty expressed; for he staid near a week after at *White-Hall*, "in a secure and peaceable Condition; whereby they were "induced to believe, that there was no difficulty, or doubt "at all, but his Majesty's residence near *London* might be as "safe, as in any part of the Kingdom. They said, they were "most assured of the faithfulness of the City, and Suburbs; "and for themselves, they should quicken the Vigour of the "Laws, and Industry of the Magistrate, the Authority of "Parliament, for the suppressing of all Tumultuary Insolency "whatsoever, and for the vindicating of his Honour from all "insupportable and insolent Scandals, if any such shall be "found to be raised upon him, as were mention'd in that An-"swer: and therefore they thought it altogether unnecessary, "and exceeding inconvenient, to Adjourn the Parliament to "any other place.

"WHERE the desire of a good understanding betwixt the "King and Parliament, was on both sides so earnest, as was "there professed by his Majesty to be in Him, and they had "sufficiently testify'd to be, in Themselves, it seem'd strange "they should be, they said, so long asunder; it could be no-"thing else but evil and malicious Counsel in misrepresenting "their Carriage to his Majesty, and in disposing his Favour "to them. And as it should be far from them to take any "advantage of his Majesty's supposed streights, as to desire, "much less compel him to that, which his Honour or In-"terest might render unpleasant, or grievous to him; so, "they hoped, his Majesty would not make his own Un-"derstanding or Reason the Rule of his Government; but "would suffer himself to be assisted with a Wise and Pru-"dent Council, that might deal faithfully betwixt Him and "his People: and that he would remember, that his Reso-"lutions did concern Kingdoms; and therefore ought not "to be moulded by his own, much less by any Private Per-"sons, which was not alike proportionable to so great a "Trust: And therefore they still desired and hoped, that his "Majesty would not be guided by his own Understanding, "or think those Courses, Streights and Necessities, to which "he should be advised by the Wisdom of both Houses of "Parliament, which are the Eyes in the Politick Body, where-"by his Majesty was by the Constitution of the Kingdom,

"to diſcern the differences of thoſe things, which concern "the Publick Peace and Safety thereof.

"THEY ſaid, they had given his Majeſty no cauſe to ſay, "that they did mainly value the diſcharge of his Publick "Duty; whatſoever Acts of Grace or Juſtice had been done, "they proceeded from his Majeſty by the Advice and Coun- "ſel of his Parliament, yet they had and ſhould always An- "ſwer them with conſtant Gratitude, and Obedience, and Af- "fection; and although many things had been done, ſince "this Parliament, of another nature, yet they ſhould not "ceaſe to deſire the continued Protection of Almighty God "upon his Majeſty, and moſt humbly Petition him to caſt "from him all thoſe evil, and contrary Counſels, which had, "in many particulars formerly mention'd, much detracted "from the Honour of his Government, the Happineſs of his "own Eſtate, and Proſperity of his People.

"AND having paſſed ſo many Dangers from abroad, ſo "many Conſpiracies at home, and brought on the Publick "Work ſo far, through the greateſt difficulties that ever ſtood "in oppoſition to a Parliament, to ſuch a degree of ſucceſs, "that nothing ſeem'd to be left in the way able to hinder "the full Accompliſhment of their deſires, and Endeavours "for the Publick Good, unleſs God in his Juſtice did ſend a "grievous Curſe upon them, as to turn the ſtrength of the "Kingdom againſt it ſelf, and to effect that by their own "Folly and Credulity, which the Power and Subtilty of their "Enemies could not attain; that was, to divide the People "from the Parliament, and to make them ſerviceable to the "Ends, and Aims of thoſe who would deſtroy them: There- "fore they deſired the Kingdom to take notice of that laſt "moſt deſperate, and miſchievous Plot of the Malignant Party, "that was acted and proſecuted in many parts of the King- "dom, under plauſible notions of ſtirring them up to a care "of preſerving the King's Prerogative; maintaining the Diſ- "cipline of the Church; upholding and continuing the Reve- "rence and Solemnity of God's Service; and encouraging "of Learning: And, upon thoſe grounds, divers mutinous "Petitions had been framed in *London*, *Kent*, and other Coun- "ties; and ſundry of his Majeſty's Subjects, had been ſolli- "cited to declare themſelves for the King againſt the Parlia- "ment; and many falſe and foul Aſperſions had been caſt "upon their Proceedings, as if they had been not only negli- "gent, but averſe in thoſe Points; whereas they deſired no- "thing more, than to maintain the purity and power of Re- "ligion, and to honour the King in all his juſt Prerogatives; "and for encouragement and advancement of Piety and "Learning, they had very earneſtly endeavour'd, and ſtill did,

"to

"to the utmoſt of their Power, that all Pariſhes might have "Learned, Pious, and Sufficient Preachers, and all ſuch Preachers, competent Livings.

"MANY other Bills and Propoſitions, they ſaid, were in "preparation, for the King's Profit and Honour, the People's "Safety and Proſperity; in the proceedings whereof, they "were much hinder'd by his Majeſty's Abſence from the Parliament; which was altogether contrary to the uſe of his "Predeceſſors, and the Privilege of Parliament, whereby their "time was conſumed by a multitude of unneceſſary Meſſages, "and their Innocency wounded by cauſleſs and ſharp Invectives; yet they doubted not but they ſhould overcome "all this at laſt, if the People ſuffer not themſelves to be deluded with falſe and ſpecious ſhews, and ſo drawn to betray Them to their own undoing, who had ever been willing to hazard the undoing of themſelves, that they might "not be betrayed, by their neglect of the Truſt repoſed in "them: But if it were not poſſible they ſhould prevail herein, yet they would not fail, through God's Grace, ſtill to "perſiſt in their Duties, and to look beyond their own Lives, "Eſtates and Advantages, as thoſe who think nothing worth "the enjoying without the Liberty, Peace, and Safety of the "Kingdom; nor any thing too good to be hazarded in diſcharge of their Conſciences, for the obtaining of it: And "ſhould always repoſe themſelves upon the Protection of Almighty God, which, they were confident, would never be "wanting to them (while they fought His Glory) as they "had found it, hitherto, wonderfully going along with them, "in all their Proceedings.

WITH this Declaration they publiſhed the Examinations of Mr *Goring*, Mr *Piercy*'s Letter to the Earl of *Northumberland*; which were the great Evidence they had of the Plot of bringing up the Army, to awe the Parliament; and ſeveral other Letters and Depoſitions, or rather ſuch parts of Depoſitions, as contributed moſt to their purpoſe. For the truth is, as they never publiſhed, ſo much as to the Houſes which were to Judge, many Depoſitions of Witneſſes, whoſe Teſtimonies, in a manner, vindicated the King from thoſe Aſperſions, which they had a mind ſhould ſtick upon him (for many ſuch there were) ſo of thoſe which they did publiſh, they left out many parts, which, being added, would either have obſcured, or contradicted, or diſcredited much of that, out of which they made the People believe much to the King's diſſervice. And yet with all thoſe ill Arts and Omiſſions, I preſume many, who without paſſion do now read thoſe Depoſitions (for they are in all hands to be read) do much marvel how ſuch concluſions could reſult to his Majeſty's diſad-

vantage, out of the worſt part of all that Evidence; which could not, naturally, carry that ſenſe to which it was wreſted.

About this time (which I ſhall mention before the other Declaration, becauſe it interven'd) there happen'd an Accident that gave them much trouble, and the more, becauſe unlooked for, by the Lord Keeper's quitting them and reſorting to *York*, by which the King got the poſſeſſion of his own Great Seal; which by all Parties was, at that time, thought a moſt conſiderable advantage. The King was very much unſatisfy'd with the Lord Keeper *Littleton*; who did not appear ſo uſeful for his Service as he expected, and, from the time of the Accuſing the Members, had loſt all his Vigour, and inſtead of making any oppoſitions to any of their extravagant Debates, he had ſilently ſuffer'd all things to be carried; and not only declined the performing the Office the King had enjoyn'd him, with reference to the Earls of *Eſſex* and *Holland* (before mention'd) but very much complied with, and courted that Party of both Houſes, which frequently reſorted to him; and of late in a queſtion, which had been put in the Houſe of Peers, in the point of the Militia, he had given his Vote both againſt the King and the Law, to the infinite Offence and Scandal of all thoſe who adhered to the King.

He was a Man of great Reputation in the profeſſion of the Law; for Learning, and all other Advantages, which attend the moſt Eminent Men; he was of a very good Extraction in *Shrop-ſhire*, and inherited a fair Fortune, and Inheritance from his Father; he was a handſome, and a proper Man, of a very graceful Preſence, and notorious for Courage, which, in his Youth, he had manifeſted with his Sword; he had taken great pains in the hardeſt, and moſt knotty part of the Law, as well as that which was more cuſtomary, and was not only very ready and expert in the Books, but exceedingly verſed in Records, in ſtudying and examining whereof, he had kept Mr *Selden* company, with whom he had great friendſhip, and who had much aſſiſted him; ſo that he was looked upon the beſt Antiquary of the Profeſſion, who gave himſelf up to Practice; and, upon the meer ſtrength of his own Abilities, he had raiſed himſelf into the firſt rank of the Practicers in the Common Law Courts, and was choſen Recorder of *London* before he was called to the Bench, and grew preſently into the higheſt Practice in all the other Courts, as well as thoſe of the Law. When the King looked more narrowly into his buſineſs, and found that he ſhould have much to do in *Weſtminſter-Hall*, he removed an old, uſeleſs, illiterate Perſon, who had been put into that Office by the favour of the Duke of *Buckingham*, and made *Littleton* his

Sollicitor

Sollicitor General, much to his Honour, but not to his Profit; the obligation of Attendance upon that Office, depriving him of much benefit he uſed to acquire by his Practice, before he had that relation. Upon the death of my Lord *Coventry*, *Finch* being made Keeper, He was made Chief Juſtice of the Common Pleas, then the beſt Office of the Law, and that which he was wont to ſay, in his higheſt Ambition, in his own private wiſhes, he had moſt deſired; and it was indeed the Sphere in which he moved moſt gracefully, and with moſt advantage, being a Maſter of all that Learning and Knowledge, which that Place required, and an excellent Judge, of great Gravity, and above all ſuſpicion of Corruption.

WHILST he held this Place, he was by the favour of the Arch-Biſhop of *Canterbury*, and the Earl of *Strafford*, who had a great eſteem of him, recommended to the King to be called to the Council Table, where he kept up his good Name; and, upon the Lord *Finch*'s leaving the Kingdom, in the beginning of the Parliament, he was thought, in many reſpects, to be the fitteſt to be entruſted in that Office; and, upon the deſire of the Earl of *Strafford* after he was in the Tower, was Created a Baron, out of expectation that, by his Authority and Knowledge of the Law, he would have been of great uſe in reſtraining thoſe extraordinary, and unwarrantable Proceedings; but, from the time he had the Great Seal, he ſeem'd to be out of his Element, and in ſome perplexity and irreſolution in the Chancery it ſelf, though he had great experience in the practice, and proceedings of that Court; and made not that diſpatch, that was expected, at the Council Table; and in the Parliament he did not preſerve any dignity; and appear'd ſo totally diſpirited, that few Men ſhewed any reſpect to him, but they who moſt oppoſed the King, who indeed did exceedingly apply themſelves to him, and were with equal kindneſs received by him. This wonderful alteration in him, his Friends believed to have proceeded from a great ſickneſs, which had ſeiſed upon him quickly after he was Created a Baron, inſomuch as every Man believed he would die; and by this means, he did not attend the Houſe in ſome Months; and ſo perform'd none of thoſe Offices toward the Earl of *Strafford*, the expectation whereof had been the ſole Motive to that Promotion: From that time he never did appear the ſame Man; but ſure there were other Cauſes for it, and he was poſſeſſed with ſome melancholy apprehenſions, which he could not Maſter, and had no Friend to whom he durſt entirely communicate them.

Mr *Hyde*, one of thoſe who was moſt truſted by the King in the Houſe of Commons, and had always a great reſpect for

for the Keeper, was as much troubled at his behaviour, as any Man; and using frequently to go to him, went upon that occasion; and with great freedom and plainness, told him, "How much he had lost the esteem of all Good Men, and "that the King could not but be exceedingly dissatisfy'd with "him; and discoursed over the matter of that Vote. Though he did not know, that the King did at that time put so great a secret Trust in Mr *Hyde*, yet he knew very well, that the King had a very good opinion of him, and had heard his Majesty often, from the beginning of the Parliament, when the discourse happen'd to be of the Lawyers of the House, take an occasion from thence to mention Mr *Hyde*, as a Man of whom he heard very well; which the Keeper had many times taken notice of to him: and then he knew the Friendship that was between the Lord *Falkland* and Mr *Hyde*, and had heard the many Jealousies which were contracted, upon the great communication he had with the two new Counsellors; and so no doubt believed, that he knew much of the King's mind. So that assoon as he had enter'd upon this discourse, which he heard with all attention (they being by themselves in his Study, at *Exeter* House) He rose from his Chair, and went to the Door; and finding some Persons in the next Room, he bad them to withdraw; and locking both the Door of that Room, and of his Study, he sat down himself, and making Mr *Hyde* sit down too, he begun "With "giving him many thanks for his Friendship to him, which, "he said, he had ever esteem'd, and he could not more ma-"nifest the esteem he had of it and him, than by using that "freedom again with him, which he meant to do. Then he "lamented his own Condition; and that he had been preferr'd "from the Common Pleas, where he knew both the Business "and the Persons he had to deal with, to the other high Of-"fice he now held, which obliged him to converse and trans-"act with another sort of Men, who were not known to him, "and in Affairs, which he understood not, and had not one "Friend among them, with whom he could confer upon any "doubt, which occurred to him.

He spoke then of the unhappy state and condition of the King's business; how much he had been, and was still, betrayed by Persons who were about him; and with all possible indignation against the proceedings of the Parliament; and said, "They would never do this, if they were not resolved "to do more: that he knew the King too well, and observed "the Carriage of particular Men too much, and the whole "current of publick Transactions these last five or six Months, "not to foresee that it could not be long, before there would "be a War between the King and the two Houses; and of

"the

" the importance, in that Seaſon, that the Great Seal ſhould " be with the King. Then he fell into many expreſſions of his Duty, and Affection to the King's Perſon, as well as to his high Degree: and " That no Man ſhould be more ready, " to periſh with, and for his Majeſty, than He would be; that " the proſpect he had of this neceſſity, had made him carry " himſelf towards that Party with ſo much complyance, that " he might be gracious with them, at leaſt, that they might " have no diſtruſt of him; which, he knew, many had en- " deavoured to infuſe into them; and that there had been a " conſultation within few days, whether, in regard he might " be ſent for by the King, or that the Seal might be taken " from him, it would not be beſt to appoint the Seal to be " kept in ſome ſuch ſecure place, as that there might be no " danger of loſing it; and that the Keeper ſhould always re- " ceive it, for the execution of his Office; they having no " purpoſe to diſoblige him. And the knowlege he had of " this conſultation, and fear he had of the execution of it, " had been the reaſon, why in the late Debate upon the Mi- " litia, he had given his Vote in ſuch a manner, as he knew, " would make very ill impreſſions with the King, and many " others who did not know him very well; but that, if he " had not, in that Point, ſubmitted to their opinion, the Seal " had been taken from him that Night; whereas by this " complyance in that Vote, which could only prejudice him- " ſelf, and not the King, he had gotten ſo much into their " Confidence, that he ſhould be able to preſerve the Seal in " his own hands, till the King required it; and then he would " be as ready to attend his Majeſty with it.

Mr *Hyde* was very well pleaſed with this diſcourſe; and asked him, " Whether he would give him leave, when there " ſhould be a fit occaſion, to aſſure the King, that he would " perform this Service, when the King ſhould require it? He deſired, " That he would do ſo, and paſs his Word for the per- " formance of it, aſſoon as his Majeſty pleaſed, and ſo they " parted.

It was within very few days after, that the King, exceedingly diſpleaſed and provoked with the Keeper's behaviour, ſent an Order to the Lord *Falkland*, " To require the " Seal from him; in which the King was very poſitive, though he was not reſolved to what hand to commit it. His Majeſty wiſhed them (for he always included the other Two in ſuch references) to conſider, " Whether he would give it " to the Lord Chief juſtice *Banks* (againſt whom he made ſome objection himſelf) " or into the hands of Mr *Selden*; and " to ſend their opinions to him. The Order was poſitive for requiring it from the preſent Officer, but they knew not who

who to advise for a Successor. The Lord Chief Justice *Banks* appeared to be as much afraid, as the other; and not thought equal to that Charge, in a time of so much disorder; though otherwise he was a Man of great Abilities, and unblemish'd integrity; they did not doubt of Mr *Selden's* Affection to the King, but withal they knew him so well, that they concluded he would absolutely refuse the place, if it were offer'd to him. He was in years, and of a tender Constitution; he had for many years enjoyed his ease, which he loved; was Rich; and would not have made a Journey to *York*, or have lain out of his own Bed, for any Preferment; which he had never affected.

BEING all Three of one mind, that it would not be fit to offer it to the one or the other; hereupon Mr *Hyde* told them the Conference he had with the Keeper, and the professions he had made; and was very confident, that he would very punctually perform it; and therefore proposed, that "They might, "with their Opinions of the other Persons, likewise advise "his Majesty to suspend his Resolution concerning the Lord "Keeper, and rather to write kindly to him, to bring the "Seal to his Majesty, instead of sending for the Seal it self, "and cast him off; and offer'd to venture his own Credit with the King, that the Keeper would comply with his Majesty's Commands. Neither of them were of his opinion; and had both no esteem of the Keeper, nor believed, that he would go to his Majesty, if he were sent for, but that he would find some trick to excuse himself; and therefore were not willing, that Mr *Hyde* should venture his Reputation upon it. He desired them then "To consider how absolutely necessary it "was, that the King should first resolve into what hand to "put the Seal, before he removed it; for that it could not "be unimploy'd one hour, but that the whole Justice of the "Kingdom would be put out of order, and draw a greater and "a juster clamour, than had been yet: That there was as much "care to be taken, that it should not be in the power of any "Man to refuse it; which would be yet more prejudicial to "his Majesty. He desired them above all, to weigh well, "that the business consisted only in having the Great Seal in "the place where his Majesty resolved to be; and if the "Keeper would keep his promise, and desired to serve the "King, it would be unquestionably the best wey, that He "and the Seal were both there: if, on the other side, he were "not an Honest Man, and cared not for offending the King, "he would then refuse to deliver it; and inform the Lords of "it: who would justify him for his disobedience, and reward "and cherish him; and he must then hereafter serve Their "turn; the mischief whereof would be greater, than could be

"easily

"eaſily imagined: and his Majeſty's own Great Seal ſhould "be every day uſed againſt him, nor would it be poſſible in "many Months to procure a New one to be made.

THESE Objections appear'd of weight to them; and they Reſolv'd to give an account of the whole to the King, and to expect his Order: and both the Lord *Falkland*, and Mr *Hyde*, writ to his Majeſty, and ſent their Letters away that very Night. The King was ſatisfy'd with the Reaſons, and was very glad that Mr *Hyde* was ſo confident of the Keeper; though, he ſaid, "He remain'd ſtill in doubt; and Reſolv'd "that he would, ſuch a day of the Week following, ſend for "the Keeper and the Seal; and that it ſhould be, as had been adviſed, upon a *Saturday* Afternoon, aſſoon as the Houſe of Lords ſhould riſe; becauſe then no notice could be taken of it till *Monday*. Mr *Hyde*, who had continued to ſee the Keeper frequently, and was confirm'd in his confidence of his Integrity, went now to him; and finding him firm to his Reſolution, and of opinion, in regard of the high Proceedings of the Houſes, that it ſhould not be long deferr'd; he told him, "That he might expect a Meſſenger the next Week, and that "he ſhould once more ſee him, when he would tell him the "Day; and that he would then go himſelf away before him "to *York*, with which he was much pleaſed, and it was agreed between the Three, that it was now time, that he ſhould be gone (the King having ſent for him ſome time before) after a day or two; in which time the Declaration of the nineteenth of *May* would be paſſed.

ON the *Saturday* following, between two and three of the Clock in the Afternoon, Mr *Elliot*, a Groom of the Bed-Chamber to the Prince, came to the Keeper, and found him alone in the Room where he uſed to ſit, and deliver'd him a Letter from the King in his own hand; wherein he required him, with many expreſſions of kindneſs and eſteem, "To "make haſte to him; and if his indiſpoſition (for he was often troubled with gravel and ſharpneſs of Urine) "would not ſuf-"fer him to make ſuch haſte upon the Journey, as the occaſion "required, that he ſhould deliver the Seal to the Perſon who "gave him the Letter; who, being a ſtrong young Man, "would make ſuch haſte as was neceſſary; and that he might "make his own Journey, by thoſe degrees which his Health "required. The Keeper was ſurpriſed with the Meſſenger, whom he did not like; and more when he found that he knew the contents of the Letter, which, he hoped, would not have been communicated to any Man, who ſhould be ſent: He Anſwer'd him with much reſervation, and when the other with bluntneſs, as he was no polite Man, demanded the Seal of him, which he had not thought of putting out of his own hands;

hands; he Answer'd him, "That he would not deliver it in-"to any hands, but the King's; but presently recollecting himself, and looking over his Letter again, he quickly consider'd, that it would be hazardous to carry the Seal himself such a Journey; and that if by any pursuit of him, which he could not but suspect, he should be seised upon, the King would be very unhappily disappointed of the Seal, which he had reason so much to depend upon; and that his misfortune would be wholly imputed to his own fault and infidelity (which without doubt he abhorr'd with his heart) and the only way to prevent that mischief, or to appear innocent under it, was to deliver the Seal to the Person trusted by the King himself to receive it; and so, without telling him any thing of his own purpose, he delivered his Seal into his hands; who forthwith put himself on his Horse, and with wonderful expedition presented the Great Seal into his Majesty's own hands, who was infinitely pleased with It, and with the Messenger.

The Keeper, that Evening, pretended to be indispos'd, and that he would take his rest early, and therefore that no body should be admitted to speak with him: and then he called Serjeant *Lee* to him, who was the Serjeant who waited upon the Seal, and in whom he had great Confidence, as he well might; and told him freely, "That he was resolv'd, the "next Morning, to go to the King, who had sent for him; "that he knew well, how much malice he should contract "by it from the Parliament, which would use all the means "they could to apprehend him; and he himself knew not "how he should perform the Journey, therefore he put him-"self entirely into his hands; that he should cause his Horses "to be ready against the next Morning, and only his own "Groom to attend them, and he to guide the best way, and "that he would not impart it to any other Person. The honest Serjeant was very glad of the Resolution, and cheerfully undertook all things for the Journey; and so sending the Horses out of the Town, the Keeper put himself in his Coach very early the next Morning, and assoon as they were out of the Town, He and the Serjeant, and one Groom, took their Horses, and made so great a Journey that day, it being about the beginning of *June*, that before the end of the third day, he kissed the King's hand at *York*.

He had purposely procured the House of Peers to be Adjourn'd to a later hour, in the Morning for *Monday*, than it used to be. *Sunday* passed without any Man's taking notice of the Keeper's being absent; and many, who knew that he was not at his House, thought he had been gone to *Cranford*, to his Country House, whither he frequently went on *Saturday*

turday nights, and was early enough at the Parliament on *Monday* Mornings; and ſo the Lords the more willingly conſented to the later Adjournments for thoſe days. But on *Monday* Morning, when it was known when, and in what manner he had left his Houſe, the confuſion in both Houſes was very great; and they who had thought that their intereſt was ſo great in him, that they knew all his thoughts, and had valued themſelves, and were valued by others, upon that account, hung down their heads, and were even diſtracted with ſhame: However they could not but conclude, that he was out of their reach before the Lords met; yet to ſhew their indignation againſt him, and it may be in hope that his Infirmities would detain him long in the Journey (as no body indeed thought that he could have perform'd it, with that expedition) they iſſued out ſuch a Warrant for the apprehending him, as had been in the caſe of the fouleſt Felon or Murderer; and Printed it, and cauſed it to be diſperſed by Expreſſes, over all the Kingdom with great haſte. All which circumſtances both before, and after the Keeper's Journey to *York*, are the more particularly, and at large ſet down, out of juſtice to the memory of that noble Perſon; whoſe Honour ſuffer'd then much in the opinion of many, by the confident report of the Perſon, who was ſent for, and receiv'd the Seal, and who was a loud and bold Talker, and deſired to have it believed, that his Manhood had raviſhed the Great Seal from the Keeper, even in ſpight of his teeth; which how impoſſible ſoever in it ſelf, found too much credit; and is therefore cleared by this very true and punctual Relation, which in truth is but due to him.

BUT the Trouble and Diſtraction, which at this time poſſeſſed them was viſibly very great; and their dejection ſuch, that the ſame day the Earl of *Northumberland* (who had been of another temper) moved, "That a Committee might be ap-"pointed, to conſider how there might be an Accommoda-"tion between the King and his People, for the Good, Hap-"pineſs, and Safety of both King and Kingdom; which Committee was appointed accordingly.

THIS temper of Accommodation troubled them not long, new Warmth and Vigour being quickly infuſed into them by the unbroken, and undaunted Spirits of the Houſe of Commons; which, to ſhew how little they valued the Power or Authority of the King, though ſupported by having now his Great Seal by him, on the 26th of *May* agreed on a new Remonſtrance to the People; in which, the Lords concurring, they informed them,

The two Houſes Remonſtrance, May 26. 1642.

"THAT although the great Affairs of the Kingdom, and "the miſerable bleeding Condition of the Kingdom of *Ireland* "afforded

"afforded them little leisure, to spend their time in Declara-
"tions, and in Answers, and Replies, yet the Malignant
"Party about his Majesty taking all occasions to multiply Ca-
"lumnies upon the Houses of Parliament, and to publish
"sharp invectives, under his Majesty's Name against them,
"and their proceedings (a new Engine they had invented to
"heighten the Distractions of this Kingdom, and to beget,
"and increase distrust, and disaffection between the King, and
"his Parliament, and the People) they could not be so much
"wanting to their own Innocency, or to the duty of their
"Trust, as not to clear themselves from those false aspersions,
"and (which was their chiefest care) to disabuse the People's
"minds, and open their Eyes, that, under the false shews,
"and pretexts of the Law of the Land, and of their own
"Rights, and Liberties, they may not be carried into the
"Road way, that leadeth to the utter Ruine, and Subversion
"thereof. A late occasion that those wicked Spirits of divi-
"sion had taken to defame, and indeed to arraign the pro-
"ceedings of both Houses of Parliament, had been from
"their Votes of the 28th of *April*, and their Declaration con-
"cerning the business of *Hull*, which because they put forth,
"before they could send their Answer concerning that matter
"unto his Majesty, those Mischievous Instruments of diffen-
"sion, between the King, and the Parliament, and the People,
"whose chief Labour, and Study, was to misrepresent their
"Actions to his Majesty, and to the Kingdom, would needs
"interpret this as an Appeal to the People, and a declining
"of all intercourse between his Majesty and them; as if they
"thought it to no purpose, to endeavour any more, to give
"his Majesty satisfaction; and, without expecting any longer
"their Answer, under the Name of a Message from his Ma-
"jesty to both Houses, they themselves had indeed made an
"Appeal to the People, as the Message it self did in a man-
"ner grant it to be, offering to joyn issue with them in that
"way, and in the nature thereof did clearly shew it self to
"be no other; Therefore They would likewise Address their
"Answer to the Kingdom, not by way of Appeal (as they
"were charged) but to prevent them from being their own
"Executioners, and from being perswaded under false colours
"of defending the Law, and their own Liberties, to destroy
"both with their own hands, by taking their Lives, Liber-
"ties, and Estates out of Their hands, whom they had cho-
"sen, and entrusted therewith, and resigning them up unto
"some evil Counsellors, about his Majesty, who could lay no
"other foundation of their own greatness, but upon the Ruine
"of this, and, in It, of all Parliaments; and in Them, of the
"true Religion, and the Freedom of this Nation. And these,

"they

"they ſaid, were the Men that would perſwade the People, "that both Houſes of Parliament, containing all the Peers, "and repreſenting all the Commons of *England*, would de- "ſtroy the Laws of the Land, and Liberties of the People; "wherein, beſides the Truſt of the whole, they themſelves in "their own particulars, had ſo great an Intereſt of Honour, "and Eſtate, that they hoped it would gain little Credit "with any, that had the leaſt uſe of Reaſon, that ſuch, as muſt "have ſo great a ſhare in the Miſery, ſhould take ſo much "pains in the procuring thereof; and ſpend ſo much time, "and run ſo many hazards to make themſelves Slaves, and to "deſtroy the property of their Eſtates. But that they might "give particular ſatisfaction to the ſeveral Imputations caſt "upon them, they would take them in order, as they were "laid upon them in that Meſſage.

"FIRST They were charged for the avowing that Act of "Sr *John Hotham*; which was term'd unparallell'd, and an "high, and unheard of Affront unto his Majeſty, and as if "they needed not to have done it; he being able, as was al- "ledg'd to produce no ſuch Command of the Houſes of Par- "liament. They ſaid, although Sr *John Hotham* had not an "Order, that did expreſs every Circumſtance of that Caſe, yet "he might have produced an Order of both Houſes, which "did comprehend this Caſe, not only in the clear Intention, "but in the very Words thereof; which they knowing in "their Conſciences to be ſo, and to be moſt neceſſary for "the Safety of the Kingdom, they could not but in Honour "and Juſtice avow that Act of His; which, they were con- "fident, would appear to all the World to be ſo far from "being an Affront to the King, that it would be found to have "been an Act of great Loyalty to his Majeſty, and to his "Kingdom.

"THE next Charge upon them was, that inſtead of giving "his Majeſty ſatisfaction, they publiſhed a Declaration con- "cerning that buſineſs, as an Appeal to the People, and as if "their intercourſe with his Majeſty, and for his ſatisfaction, "were now to no more purpoſe; which courſe was alledg'd to "be very unagreeable to the Modeſty and Duty of former times, "and not warrantable by any Precedents, but what Them- "ſelves had made. They ſaid, if the Penner of that Meſſage "had expected a while, or had not expected that two Houſes "of Parliament (eſpecially burthen'd as they were at that "time, with ſo many preſſing and urgent Affairs) ſhould "have moved as faſt as himſelf, he would not have ſaid, that "Declaration was inſtead of an Anſwer to his Majeſty; which "they did diſpatch with all the ſpeed, and diligence they "could, and had ſent it to his Majeſty by a Committee of both

"Houſes; whereby it appear'd, that they did not upon that "ground, that they thought it was no more to any purpoſe, "to endeavour to give his Majeſty ſatisfaction.

"And as for the Duty and Modeſty of former times, from "which they are ſaid to have varied, and to want the War- "rant of any Precedents therein, but what Themſelves had "made; If they had made any Precedents this Parliament, "they had made them for Poſterity, upon the ſame, or better "grounds of Reaſon and Law, than thoſe were upon, which "their Predeceſſors firſt made for Them: and as ſome Pre- "cedents ought not to be rules for them to follow, ſo none "could be limits to bound their Proceedings; which might, "and muſt vary, according to the different condition of Times. "And for that Particular, of ſetting forth Declarations for "the ſatisfaction of the People, who had choſen, and en- "truſted them with all that was deareſt to them: If there "were no example for it, it was becauſe there were never "any Monſters before, that ever attempted to diſaffect the "People from a Parliament, or could ever harbour a thought "that it might be effected. Were there ever ſuch practices "to poiſon the People with an ill apprehenſion of the Parlia- "ment? Were there ever ſuch imputations, and ſcandals laid "upon the Proceedings of both Houſes? Were there ever ſo "many, and ſo great breaches of Privilege of Parliament? "Were there ever ſo many, and ſo deſperate deſigns of force "and violence againſt the Parliament, and the Members there- "of? If they had Done more than ever their Anceſtors had "Done, they ſaid, they had Suffered more than ever They "had Suffer'd; and yet, in point of Modeſty and Duty, they "would not yield to the beſt of former times; and they "would put that in iſſue, whether the higheſt, and moſt un- "warrantable Precedents of any of his Majeſty's Predeceſſors, "did not fall ſhort, and much below, what had been done "to them this Parliament? And on the other ſide, whether, "if they ſhould make the higheſt Precedents of other Parlia- "ments their Patterns, there would be cauſe to complain of "want of modeſty, and duty in Them; when they had not "ſo much as ſuffered ſuch things to enter into their Thoughts, "which all the world knew They put in Act?

"Another Charge which was laid very high upon "them, and which were indeed a very great Crime if they "were found guilty thereof, was, that by avowing that Act "of Sr *John Hotham*, they did, in conſequence, confound and "deſtroy the title, and intereſt of all his Majeſty's good Sub- "jects to their Lands and Goods; and that, upon this ground; "that his Majeſty had the ſame Title to his Town of *Hull*, "which any of his Subjects had to their Houſes or Lands,

"and

"and the ſame to his Magazine and Munition there, that any "Man had to his Money, Plate, or Jewels: And therefore, "that they ought not to have been diſpoſed of, without, or "againſt his Conſent, no more than the Houſe, Land, Money, "Plate, or Jewels of any Subject ought to be, without, or "againſt his Will.

"HERE, they ſaid, that was laid down for a Principle, "which would indeed pull up the very foundation of the li- "berty, property, and intereſt of every Subject in particular, "and of all the Subjects in general, if they ſhould admit it "for a truth, that his Majeſty had the ſame right and title to "his Towns, and to his Magazines (bought with the publick "Moneys, as they conceived that at *Hull* to have been) that "every particular Man hath to his Houſe, Lands, and Goods. "For his Majeſty's Towns were no more his own, than his "Kingdom was his own; and his Kingdom was no more his "own, than his People are his own; and if the King had a "property in all his Towns, what would become of the Sub- "jects propriety in their Houſes therein? and if he had a pro- "priety in his Kingdom, what would become of the Subjects "property in their Lands throughout the Kingdom? or of "their Liberties, if his Majeſty had the ſame right in their "Perſons, that every Subject hath in his Lands, and Goods? "and what would become of all the Subjects intereſts in the "Towns, and Forts of the Kingdom, and in the Kingdom it "ſelf, if his Majeſty might ſell, or give them away, or diſ- "poſe of them at his pleaſure, as a particular Man might do "with his Lands, and with his Goods? This erroneous "Maxim being infuſed into Princes, that their Kingdoms are "their own, and that they may do with them what they will, "as if their Kingdoms were for Them, and not They for "their Kingdoms, was, they ſaid, the Root of all the Sub- "jects miſery, and of the invading of their juſt Rights, and "Liberties; whereas, indeed, they are only entruſted with "their Kingdoms, and with their Towns, and with their "People, and with the publick Treaſure of the Common- "wealth, and whatſoever is bought therewith; and, by the "known Law of the Kingdom, the very Jewels of the Crown "are not the King's proper Goods, but are only entruſted to "him, for the uſe and ornament thereof: as the Towns, "Forts, Treaſure, Magazines, Offices, and the People of the "Kingdom, and the whole Kingdom it ſelf is entruſted unto "him, for the good, and ſafety, and beſt advantage thereof: "and as this Truſt is for the uſe of the Kingdom, ſo ought it "to be managed by the advice of the Houſes of Parliament, "whom the Kingdom hath truſted for that purpoſe; it being "their duty to ſee it diſcharged according to the condition

" and true intent thereof; and as much as in them lies, by all " poſſible means, to prevent the contrary; which, if it had " been their chief care, and only aim, in the diſpoſing of the " Town and Magazine of *Hull* in ſuch manner as they had " done, they hoped it would appear clearly to all the world, " that they had diſcharged their own Truſt, and not invaded " that of his Majeſty, much leſs his Property; which, in that " caſe, they could not do.

" But admitting his Majeſty had indeed a Property in the " Town and Magazine of *Hull*; who doubted but that a Par- " liament may diſpoſe of any thing, wherein his Majeſty or " any Subject hath a right, in ſuch a way, as that the King- " dom may not be expoſed to Hazard, or Danger thereby? " Which was Their caſe, in the diſpoſing of the Town and " Magazine of *Hull*. And whereas his Majeſty did allow this, " and a greater power to a Parliament, but in that ſenſe only, " as he himſelf was a Part thereof; they appeal'd to every " man's conſcience, that had obſerved their proceedings, whe- " ther they disjoyn'd his Majeſty from his Parliament, who " had in all humble ways ſought his concurrence with them, " as in that particular about *Hull*, and for the removal of the " Magazine there, ſo alſo in all other things; or whether " thoſe evil Councils about him, had not ſeparated him from " his Parliament; not only in diſtance of place, but alſo in the " diſcharge of the joynt Truſt with them, for the Peace and " Safety of the Kingdom in that, and ſome other Particulars.

" They had given no occaſion to his Majeſty, they ſaid, " to declare with ſo much earneſtneſs his reſolution, that he " would not ſuffer either, or both Houſes by their Votes, " without, or againſt his Conſent, to enjoyn any thing that " was forbidden by the Law, or to forbid any thing that was " enjoyn'd by the Law; for their Votes had done no ſuch " thing: And as they ſhould be very tender of the Law " (which they did acknowledge to be the ſafeguard, and cu- " ſtody of all publick and private Intereſts) ſo they would " never allow a few private Perſons about the King, nor his " Majeſty himſelf in his own Perſon, and out of his Courts, " to be judge of the Law, and that contrary to the judgment " of the higheſt Court of Judicature. In like manner, that " his Majeſty had not refuſed to conſent to any thing, that " might be for the Peace and Happineſs of the Kingdom, " they could not admit it in any other ſenſe, but as his Ma- " jeſty taketh the meaſure of what will be for the Peace and " Happineſs of his Kingdom, from ſome few ill affected Per- " ſons about him, contrary to the Advice, and Judgment of " his great Council of Parliament. And becauſe the Advice " of both Houſes of Parliament had, through the ſuggeſtion

" of

" of evil Counſellors, been ſo much undervalued of late, and " ſo abſolutely rejected and refuſed, they ſaid, they held it fit " to declare unto the Kingdom, whoſe Honour and Intereſt " was ſo much concern'd in it, what was the Privilege of " the Great Council of Parliament herein; and what was " the Obligation that lay upon the Kings of this Realm, to " paſs ſuch Bills, as are offer'd to them by both Houſes of " Parliament, in the Name, and for the Good of the whole " Kingdom, whereunto they ſtand engaged both in Con- " ſcience, and Juſtice, to give their Royal Aſſent: in Con- " ſcience, in regard of the Oath, that is, or ought to be taken " by the Kings of this Realm at their Coronation, as well to " confirm by their Royal Aſſent ſuch good Laws, as the Peo- " ple ſhall chooſe, and to remedy by Law ſuch iconveniences, " as the Kingdom may ſuffer; as to keep, and protect the " Laws already in being; as may appear both by the Form " of the Oath upon Record, and in Books of good Authority, " and by the Statute of the 25 of *Edward* the III. Entituled, " the Statute of Proviſors of Benefices; the Form of which " Oath, and the Clauſe of the Statute that concerneth it, are " as followeth:

Rot. Parliament. H. IV. N. 17.
Forma juramenti ſoliti, & conſueti præſtari per Reges Angliæ in eorum Coronatione.

Servabis Eccleſiæ Dei, Cleroque, & Populo, pacem ex integro, & concordiam in Deo ſecundum vires tuas?
Reſpondebit, Servabo.

Facies fieri in omnibus judiciis tuis æquam, & rectam juſtitiam, & diſcretionem in miſericordia & veritate, ſecundum vires tuas?
Reſpondebit, Faciam.

Concedis juſtas Leges, & Conſuetudines eſſe tenendas; & promittis per te eas eſſe protegendas, & ad honorem Dei corroborandas, quas Vulgus elegerit, ſecundum vires tuas?
Reſpondebit, Concedo & Promitto.

Adjicianturque prædictis Interrogationibus quæ juſta fuerint, prænunciatiſque omnibus, confirmet Rex ſe omnia ſervaturum, ſacramento ſuper Altare præſtito, coram cunctis.

A Clauſe in the Preamble of a Statute made the 25. Edw. III. Entituled, the Statute of Proviſors of Benefices.

WHEREUPON the ſaid Commons have prayed our ſaid

Lord the King; That ſith the Right of the Crown of *England*, and the Law of the ſaid Realm is ſuch, that upon the miſchiefs and damages, which happen to this Realm, He ought, and is bound by his Oath, with the accord of his People in his Parliament, thereof to make Remedy and Law, and in removing the miſchiefs, and damages which thereof enſue, that it may pleaſe Him thereupon to ordain Remedy.

OUR Lord the King ſeeing the miſchiefs and damages before mention'd, and having regard to the Statute made in the time of his ſaid Grandfather, and to the Cauſes contained in the ſame, which Statute holdeth always his Force, and was never defeated, repealed, or annulled in any point, and by ſo much he is bound by his Oath to cauſe the ſame to be kept as the Law of his Realm, though that, by ſufferance and negligence, it hath been ſithence attempted to the contrary: Alſo having regard to the grievous complaints made to him by his People, in divers his Parliaments holden heretofore, willing to ordain Remedy for the great damages, and miſchiefs which have happen'd, and daily do happen, to the Church of *England* by the ſaid Cauſe:

"HERE, they ſaid, the Lords, and Commons claim it di-
"rectly as the Right of the Crown of *England*, and of the
"Law of the Land, and that the King is bound by his Oath
"with the accord of his People in Parliament, to make Re-
"medy and Law, upon the miſchiefs and damages, which
"happen to this Realm; and the King doth not deny it, al-
"though he take occaſion from a Statute formerly made by
"his Grandfather, which was laid as part of the grounds of
"this Petition, to fix his Anſwer upon another branch of his
"Oath, and pretermits that which is claimed by the Lords and
"Commons, which he would not have done, if it might
"have been excepted againſt.

"IN Juſtice, they ſaid, they are obliged thereunto, in re-
"ſpect of the Truſt repoſed in them; which is as well to
"preſerve the Kingdom by the making new Laws, where
"there ſhall be need, as by obſerving of Laws already made;
"a Kingdom being, many times, as much expoſed to ruine,
"for the want of a new Law, as by the violation of thoſe that
"are in being: and this is ſo clear a Right, that, no doubt,
"his Majeſty would acknowledg it to be as due to his Peo-
"ple, as his Protection. But how far forth he was oblig'd
"to follow the judgment of his Parliament therein, that is the
"Queſtion. And certainly, beſides the words in the King's
"Oath, referring unto ſuch Laws as the People ſhall chooſe,
"as in ſuch things which concern the Publick Weal and Good
"of the Kingdom, They are the moſt proper judges, who

"are

"are ſent from the whole Kingdom for that very purpoſe; ſo "they did not find, that ſince the Laws have paſſed by way of "Bills (which are read Thrice in both Houſes, and Com- "mitted; and every part, and circumſtance of them fully "weighed, and debated upon the Commitment, and after- "wards paſſed in both Houſes) that ever the Kings of this "Realm did deny them, otherwiſe than is expreſſed in that uſual "Anſwer, *Le Roy S'aviſera*; which ſignifies rather a ſuſpen- "ſion, than a Refuſal of the Royal Aſſent. And in thoſe other "Laws, which are framed by way of Petitions of Right, the "Houſes of Parliament have taken themſelves to be ſo far "Judges of the Right claimed by them, that when the King's "Anſwer hath not, in every point, been fully according to "their deſires, they have ſtill inſiſted upon their claim, and "never reſted ſatisfy'd, till ſuch time as they had an Anſwer "according to their demand; as had been done in the late Pe- "tition of Right, and in former times upon the like occaſion. "And if the Parliament be Judge between the King and his "People in the Queſtion of Right (as by the manner in the "claim in Petitions of Right, and by Judgments in Parlia- "ment, in caſes of illegal Impoſitions and Taxes, and the "like it appears to be) why ſhould they not be ſo alſo, in "the Queſtion of the Common Good, and Neceſſity of the "Kingdom, wherein the Kingdom hath as clear a Right alſo "to have the benefit, and remedy of Law, as in any thing "whatſoever? And yet they did not deny, but that in Pri- "vate Bills, and alſo in Publick Acts of Grace, as Pardons, "and the like Grants of Favour, his Majeſty might have "a greater latitude of Granting, or Denying, as he ſhould "think fit.

"ALL this conſider'd, they ſaid, they could not but won- "der, that the Contriver of that Meſſage ſhould conceive, the "People of this Land to be ſo void of Common ſenſe, as to "enter into ſo deep a miſtruſt of thoſe, whom they have, and "his Majeſty ought to repoſe ſo great a Truſt in, as to de- "ſpair of any ſecurity in their private Eſtates, by Deſcents, "Purchaſes, Aſſurances, or Conveyances; unleſs his Majeſty "ſhould, by His Vote, prevent the prejudice, they might re- "ceive therein by the Votes of both Houſes of Parliament; as "if They, who are eſpecially choſen, and entruſted for that "purpoſe, and who themſelves muſt needs have ſo great a "ſhare in all Grievances of the Subject, had wholly caſt off "all care of the Subjects Good, and his Majeſty had ſolely "taken it up; and as if it could be imagined, that They "ſhould, by their Votes, overthrow the Rights of Deſcents, "Purchaſes, or of any Conveyance or Aſſurance, in whoſe "Judgment the whole Kingdom hath placed all their parti-

"cular Interests, if any of them should be called in question, "in any of those cases; and that (as not knowing where to "place them, with greater security) without any Appeal "from Them to any other Person, or Court whatsoever.

"But indeed they were very much to seek, how the Case "of *Hull* could concern Descents and Purchases, or Con-"veyances and Assurances; unless it were in procuring more "security to Men in their Private Interests, by the preserva-"tion of the Whole from Confusion, and Destruction; and "much less did they understand, how the Soveraign Power "was resisted, and despised therein. Certainly no Command "from his Majesty, and his High Court of Parliament (where "the Soveraign Power resides) was disobeyed by Sr *John* "*Hotham*; nor yet was his Majesty's Authority deriv'd out "of any other Court, nor by any legal Commission, or by "any other way, wherein the Law had appointed his Ma-"jesty's Commands to be deriv'd to his Subjects; and of what "validity his Verbal Commands are, without any such stamp "of his Authority upon them, and against the Order of both "Houses of Parliament, and whether the not submitting "thereunto, be a resisting and despising of the Soveraign Au-"thority, they would leave to all Men to judge, that do at all "understand the Government of this Kingdom.

"They acknowledged that his Majesty had made many "expressions of his Zeal, and Intentions against the desperate "designs of the Papists; but yet it was also as true, that the "Counsels, which had prevail'd of late with him, had been "little suitable to those Expressions, and Intentions. For "what did more advance the open, and bloody design of the "Papists in *Ireland* (whereon the secret Plots of the Papists "here did, in all likelyhood depend) than his Majesty's ab-"senting himself, in that manner that he did, from his Parlia-"ment; and setting forth such sharp Invectives against them, "notwithstanding all the humble Petitions, and other means, "which his Parliament had addressed unto him, for his re-"turn, and for his satisfaction concerning their proceedings? "And what was more likely to give a rise to the designs of "the Papists (whereof there were so many in the North, near "to the Town of *Hull*) and of other Malignant, and ill Af-"fected Persons (which were ready to joyn with them) or to "the Attempts of Forreigners from abroad, than the conti-"nuing of that great Magazine at *Hull*, at this time, and con-"trary to the desire and advice of both Houses of Parliament? "So that they had too much cause to believe, that the Pa-"pists had still some way and means, whereby they had "influence upon his Majesty's Counsels for their own ad-"vantage.

"For

"For the Malignant Party; they said, his Majesty needed "not a definition of the Law, nor yet a more full Character "of them from both Houses of Parliament, for to find them "out, if he would please only to apply the Character, that "Himself had made of them, to those, unto whom it doth "properly and truly belong. Who are so much disaffected to "the Peace of the Kingdom, as they that endeavour to dis-"affect his Majesty from the Houses of Parliament, and per-"swade him to be at such a distance from them, both in "place and affection? Who are more disaffected to the Go-"vernment of the Kingdom, than such as lead his Majesty "away from hearkning to his Parliament; which by the Con-"stitution of the Kingdom, is his greatest and best Council; "and perswade him to follow the malicious Counsels of some "private Men, in opposing and contradicting the wholesome "Advices, and just Proceedings of that his most faithful "Council, and highest Court? Who are they, that not only "neglect and despise, but labour to undermine the Law un-"der colour of maintaining it, but they that endeavour to de-"stroy the Fountain and Conservatory of the Law, which is "the Parliament? and who are they that set up other Rules "for themselves to walk by, than such as were according to "Law, but they that will make other Judges of the Law than "the Law hath appointed; and so dispence with their Obe-"dience to that, which the Law calleth Authority, and to "their determinations and resolutions, to whom the judg-"ment doth appertain by Law? For, when private Persons "shall make the Law to be their Rule according to their own "understanding, contrary to the judgment of those that are "the competent Judges thereof, they set up unto themselves "other Rules than the Law doth acknowledge. Who those "Persons were, none knew better than his Majesty himself: "And if he would please to take all possible caution of them, "as destructive to the Common-wealth and Himself, and "would remove them from about him, it would be the most "effectual means to compose all the Distractions, and to cure "the Distempers of the Kingdom.

"For the Lord *Digby*'s Letter, they said, they did not "make mention of it as a ground to hinder his Majesty from "visiting his own Fort; but they appeal'd to the judgment of "any indifferent Man, that should read that Letter, and com-"pare it with the posture that his Majesty then did, and still "doth, stand in towards the Parliament, and with the circum-"stances of that late Action of his Majesty's going to *Hull*, "whether the advisers of that Journey intended only a Visit "of that Fort, and Magazine?

"As to the ways and overtures of Accommodation, and

"the

"the Message of the twentieth of *January* last, so often "pressed, but still in vain, as was alledg'd: Their Answer was, "That although so often as that Message of the twentieth of "*January* had been pressed, so often had their Privileges been "clearly infringed, that a way and method of proceedings "should be prescribed to them, as well for the settling of his "Majesty's Revenue, as for the presenting of their own De- "sires (a thing which in former Parliaments had always been "excepted against, as a breach of Privilege) yet, in respect "to the matter contained in that Message, and out of their "earnest desire to beget a good understanding between his "Majesty and them, they swallow'd down all matters of Cir- "cumstance; and had e're that time presented the chief of "their desires to his Majesty, had they not been interrupted "with continual Denials, even of those things that were ne- "cessary for their present Security, and Subsistence; and had "not those Denials been follow'd with perpetual Invectives "against Them, and their Proceedings; and had not those "Invectives been heap'd upon them so thick one after another "(who were in a manner already taken up wholly with the "pressing Affairs of this Kingdom, and of the Kingdom of "*Ireland*) that as they had little encouragement from thence, "to hope for any good Answers to their Desires, so they had "not so much time left them to perfect them in such a man- "ner, as to offer them to his Majesty.

"THEY confessed it to be a Resolution most worthy of a "Prince, and of his Majesty, to shut his Ears against any "that would incline him to a Civil War; and to abhor the "very apprehension of it. But they could not believe that "mind to have been in them, that came with his Majesty to "the House of Commons; or in them that accompanied "his Majesty to *Hampton-Court*, and appear'd in a Warlike "manner at *Kingston* upon *Thames*; or in divers of them, "who follow'd his Majesty lately to *Hull*; or in them, who "after drew their Swords in *York*, demanding, *Who would be* "*for the King*; nor in them that advised his Majesty to de- "clare Sr *John Hotham* a Traytor, before the Message was "sent concerning that business to the Parliament, or to make "Propositions to the Gentlemen of the County of *York* to as- "sist his Majesty to proceed against him in a way of Force, "before he had, or possibly could receive an Answer from "the Parliament, to whom he had sent to demand Justice of "them against Sr *John Hotham* for that Fact: and if those "Malignant Spirits should ever force them to defend their "Religion, the Kingdom, the Privileges of Parliament, and "the Rights, and Liberties of the Subjects, with their Swords; "the Blood, and Destruction that should ensue thereupon,

"must

" must be wholly caſt upon their Account; God, and their " own Conſciences told them, that they were clear; and they " doubted not, but God, and the whole World would clear " them therein.

" For Captain *Leg*, they had not ſaid that he was accuſed, " or that there was any Charge againſt him, for the bringing " up of the Army; but that he was employ'd in that buſi- " neſs. And for that concerning the Earl of *New-Caſtle*, men- " tion'd by his Majeſty, which was ſaid to have been asked " long ſince, and that it was not eaſy to be Anſwer'd: They " conceiv'd it was a Queſtion of more difficulty, and harder " to be Anſwer'd, why, when his Majeſty held it neceſſary, " upon the ſame grounds that firſt move from the Houſes of " Parliament, that a Governour ſhould be placed in that Town, " Sr *John Hotham*, a Gentleman of known Fortune and In- " tegrity, and a Perſon of whom both Houſes of Parliament " had expreſſed their Confidence, ſhould be refuſed by his Ma- " jeſty; and the Earl of *New-Caſtle* (who, by the way, was ſo " far named in the buſineſs of bringing up the Army, that al- " though there was not ground enough for a Judicial Proceed- " ing, yet there was ground of ſuſpicion; at leaſt his Reputa- " tion was not left ſo unblemiſh'd thereby, as that he ſhould " be thought the fitteſt Man in *England* for that Employment " of *Hull*) ſhould be ſent down, in a private way from his " Majeſty to take upon him that Government? And why he " ſhould diſguiſe himſelf under another Name, when he came " thither, as he did? But whoſoever ſhould conſider, together " with thoſe circumſtances, that of the time when Sr *John Ho-* " *tham* was appointed, by both Houſes of Parliament, to take " upon him that Employment, which was preſently after his " Majeſty's coming to the Houſe of Commons, and upon the " retiring himſelf to *Hampton-Court*; and the Lord *Digby*'s aſ- " ſembling of Cavaliers at *Kingſton* upon *Thames*, would find " reaſon enough, why that Town of *Hull* ſhould be commit- " ted rather to Sr *John Hotham*, by the Authority of both " Houſes of Parliament, than to the Earl of *New-Caſtle*, ſent " from his Majeſty in that manner that he was. And for the " Power, that Sr *John Hotham* had from the two Houſes of " Parliament, the better it was known and underſtood, they " were confident the more it would be approv'd and juſti- " fied: and as they did not conceive, that his Majeſty's re- " fuſal to have that Magazine remov'd, could give any advan- " tage againſt him to have it taken from him; and as no ſuch " thing was done, ſo they could not conceive, for what other " Reaſon any ſhould Counſel his Majeſty, not to ſuffer it to be " remov'd, upon the deſire of both Houſes of Parliament; " except it were, that they had an intention to make uſe of " it againſt them.

" They

"THEY said, they did not except against those that pre-
"sented a Petition to his Majesty at *York*, for the continuance
"of the Magazine at *Hull*, in respect of their Condition, or in
"respect of their Number; because they were mean Persons,
"or because they were Few; but because they being but a
"few, and there being so many more in the County of as
"good Quality as themselves (who had, by their Petition to
"his Majesty, disavow'd that Act of theirs) that they should
"take upon them the Style of all the Gentry, and Inhabitants
"of that County; and, under that Title, should presume to
"interpose their Advice contrary to the Votes of both Houses
"of Parliament: And, if it could be made to appear, that any
"of those Petitions, that are said to have been presented to
"the Houses of Parliament, and to have been of a strange
"nature, were of such a nature as that, they were confi-
"dent, that they were never receiv'd with their Consent and
"Approbation.

"WHETHER there was an intention to deprive Sr *John*
"*Hotham* of his Life, if his Majesty had been admitted into
"*Hull*; and whether the Information were such, as that he
"had ground to believe it, they would not bring into question;
"for that was not, or ought not to have been, the ground for
"doing what he did: Neither was the number of his Ma-
"jesty's Attendants, for being more or fewer, much consider-
"able in this Case; for although it were true, that if his
"Majesty had enter'd with twenty Horse only, he might hap-
"pily have found means for to have forced the Entrance of
"the rest of his Train; who, being once in the Town, would
"not have been long without Arms; yet that was not the
"ground, upon which Sr *John Hotham* was to proceed; but
"upon the Admittance of the King into the Town at all, so
"as to deliver up the Town and Magazine unto him, and
"to whomsoever he should give the Command thereof,
"without the Knowledge and Consent of both Houses of Par-
"liament, by whom he was entrusted to the contrary: and
"his Majesty having declar'd that to be his intention con-
"cerning the Town, in a Message that he sent to the Parlia-
"ment, not long before he went to *Hull*; saying, that he did
"not doubt, but that Town should be deliver'd up to him,
"whensoever he pleased, as supposing it to be kept against
"him; and in like manner concerning his Magazine, in his
"Message of the 24th of *April*, wherein it is expressed, that
"his Majesty went thither, with a purpose to take into his
"hands the Magazine, and to dispose of it in such manner, as
"he should think fit: Upon those Terms, Sr *John Hotham*
"could not have admitted his Majesty, and have made good
"his Trust to the Parliament, though his Majesty would have

"enter'd

"enter'd alone, without any Attendants at all of his own, "or of the Prince or Duke his Sons; which they did not "wish to be less, than they were, in their Number, but could "heartily wish that they were generally better in their Con-"dition.

"In the close of that Message, his Majesty stated the Case "of *Hull*; and thereupon inferr'd, that the Act of Sr *John* "*Hotham* was levying War against the King; and conse-"quently, that it was no less than High Treason, by the Let-"ter of the Statute of the 25 *Edw.* III. *ch.* 2. unless the sense "of that Statute were very far differing from the Letter "thereof.

"In the stating of that Case, they said, divers Particulars "might be observ'd, wherein it was not rightly stated: As,

1. "That his Majesty going to *Hull*, was only an en-"deavour to visit a Town, and Fort of his: whereas it was "indeed to Possess himself of the Town, and Magazine there, "and to dispose of them, as he himself should think good, "without, and contrary to the Advice, and Orders of both "Houses of Parliament; as did clearly appear by his Majesty's "own Declaration of his Intentions therein, by his Messages "to both Houses, immediately before, and after that Journey. "Nor could they believe, that any Man, who should consider "the circumstances of that Journey to *Hull*, could think, "that his Majesty would have gone thither at that time, and "in that posture, that he was pleased to put himself in to-"wards the Parliament, if he had intended only a Visit of the "Town and Magazine.

2. "It was said to be his Majesty's own Town, and his "own Magazine, which being understood in that sense, as was "before expressed, as if his Majesty had a private Interest of "Propriety therein, they could not admit it to be so.

3. "Which was the main Point of all, Sr *John Hotham* "was said to have shut the Gates against his Majesty, and to "have made resistance with Armed Men, in defiance of his "Majesty; whereas it was indeed in obedience to his Majesty, "and his Authority, and for his Service, and the Service of "the Kingdom; for which use only, all that Interest is, that "the King hath in the Town; and it is no further his to dis-"pose of, than he used it for that end: and Sr *John Hotham* "being Commanded to keep the Town and Magazine, for his "Majesty and the Kingdom, and not to deliver them up, but "by his Majesty's Authority signified by both Houses of Par-"liament, all that was to be understood by those expressions, "of his denying, and opposing his Majesty's entrance, and "telling him in plain terms, that he should not come in, was "only this, that he humbly desired his Majesty to forbear

"his

"his entrance till he might acquaint the Parliament; and "that his Authority might come signified to him by both "Houses of Parliament, according to the Trust reposed in "him. And certainly, if the Letter of the Statute of the "25 *Edw.* III. *ch.* 2. be thought to import this, That no War "can be Levied against the King, but what is directed, and "intended against his Person, or that every Levying of Forces "for the Defence of the King's Authority, and of his King-"dom, against the Personal Commands of the King opposed "thereunto, though accompanied with his Presence, is Le-"vying War against the King, it is very far from the Sense "of that Statute; and so much the Statute it self speaks (be-"sides the Authority of Book-Cases; Precedents of divers "Traytors condemn'd upon that interpretation thereof.) For "if the Clause of Levying of War had been meant only a-"gainst the King's Person, what need had there been thereof "after the other branch of Treason, in the same Statute, of "compassing the King's Death, which would necessarily have "implied this? And because the former Cause doth imply "this, it seems not at all to be intended in this latter branch; "but only the Levying of War against the King, that is, "against his Laws and Authority: and the Levying of War "against his Laws and Authority, though not against his Per-"son, is Levying War against the King; but the Levying of "Force against his Personal Commands, though accompa-"nied with his Presence, and not against his Laws and Au-"thority, but in the maintenance thereof, is no Levying of "War against the King, but for him.

"HERE was then, they said, their Case: In a time of so "many successive Plots, and Designs of Force against the Par-"liament, and the Kingdom; in a time of probable Inva-"sion from abroad, and that to begin at *Hull*, and to take the "opportunity of seizing upon so great a Magazine there; in a "time of so great distance and alienation of his Majesty's Af-"fection from his Parliament (and in Them from his King-"dom, which they represent) by the wicked suggestions of a "few Malignant Persons, by whose mischievous Counsels "he was wholly led away from his Parliament, and their "faithful Advices and Counsels: In such a time, the Lords "and Commons in Parliament command Sr *John Hotham*, to "draw in some of the Train'd-bands of the parts adjacent to "the Town of *Hull*, for the securing that Town and Maga-"zine for the Service of his Majesty, and of the Kingdom: "of the safety whereof there is a higher Trust reposed in "Them, than any where else; and they are the proper Judges "of the danger thereof.

"THIS Town and Magazine being entrusted to Sr *John* "*Hotham*,

"*Hotham*, with expreſs order not to deliver them up, but by "the King's Authority ſignified by both Houſes of Parliament; "his Majeſty, contrary to the Advice and Directions of both "Houſes of Parliament, without the Authority of any Court, or "any Legal way, wherein the Law appoints the King to ſpeak "and command, accompanied with the ſame evil Council "about him that he had before, by a Verbal command requires "Sr *John Hotham* to admit him into the Town, that he might "diſpoſe of It, and of the Magazine there, according to his "own, or rather according to the pleaſure of thoſe evil "Counſellors, who are ſtill in ſo much credit about him; in "like manner as the Lord *Digby* had continual recourſe unto, "and countenance from, the Queen's Majeſty in *Holland*; by "which means he had opportunity ſtill to communicate his "Traiterous conceptions, and ſuggeſtions to both their Ma-"jeſties; ſuch as thoſe were concerning his Majeſty's retiring "to a place of Strength, and declaring himſelf, and his own "advancing his Majeſty's Service in ſuch a way beyond the "Seas, and after that reſorting to his Majeſty in ſuch a place "of ſtrength; and divers other things of that nature, con-"tained in his Letter to the Queen's Majeſty, and to Sr *Lewis* "*Dives*; a Perſon, that had not the leaſt part in this late buſi-"neſs of *Hull*, and was preſently diſpatched away into *Hol-"land*, ſoon after his Majeſty's return from *Hull*; for what "Purpoſe, they left the world to judge.

"UPON the refuſal of Sr *John Hotham* to admit his Ma-"jeſty into *Hull*, preſently, without any due proceſs of Law, "before his Majeſty had ſent up the narration of his Fact to "the Parliament, he was proclaim'd Traytor; and yet it was "ſaid, that therein was no violation of the Subjects Rights, "nor any breach of the Law, nor of the Privilege of Parlia-"ment, though Sr *John Hotham* be a Member of the Houſe "of Commons; and that his Majeſty muſt have better rea-"ſon than bare Votes, to believe the contrary; although the "Votes of the Lords and Commons in Parliament, being the "Great Council of the Kingdom, are the reaſon of the King, "and of the Kingdom: yet theſe Votes, they ſaid, did not "want clear and apparent reaſon for them; for if the ſolemn "proclaiming him a Traytor ſignify any thing, it puts a Man, "and all thoſe that any way aid, aſſiſt, or adhere unto him, "in the ſame condition of Traytors; and draws upon him "all the conſequences of Treaſon: And if that might be done "by Law, without due proceſs of Law, the Subject hath a "very poor defence of the Law, and a very ſmall, if any, "proportion of Liberty thereby. And it is as little ſatisfa-"ction to a Man, that ſhall be expoſed to ſuch Penalties, by "that Declaration of him to be Traytor, to ſay he ſhall "have

"have a Legal Tryal afterwards, as it is to condemn a Man "firſt, and try him afterwards. And if there could be a ne- "ceſſity for any ſuch proclaiming a Man a Traytor without "due proceſs of Law, yet there was none in this caſe; for "his Majeſty might as well have expected the judgment of "Parliament (which was the right way) as he had leiſure "to ſend to them to demand juſtice againſt S^r *John Hotham*. "And the breach of Privilege of Parliament was as clear in "this Caſe, as the ſubverſion of the Subjects Common right: "For, though the Privileges of Parliament, do not extend to "thoſe Caſes, mention'd in the Declaration, of Treaſon, Fe- "lony, and Breach of Peace, ſo as to exempt the Members "of Parliament from puniſhment, nor from all manner of "Proceſs and Tryal, as it doth in other Caſes; yet it doth Pri- "vilege them in the Way, and Method of their Tryal and "Puniſhment; and that the Parliament ſhould have the Cauſe "firſt brought before them, that they may judge of the Fact, "and of the grounds of the Accuſation; and how far forth the "manner of their Tryal may concern, or not concern the Pri- "vilege of Parliament. Otherwiſe it would be in the power, "not only of his Majeſty, but of every Private man, under "pretenſions of Treaſons, or thoſe other Crimes, to take any "Man from his Service in Parliament; and ſo as many, one "after another, as he pleaſeth; and, conſequently, to make a "Parliament what he will, when he will; which would be a "breach of ſo Eſſential a Privilege of Parliament, as that the "very Being thereof depends upon it. And therefore they "no ways doubted but every One, that had taken the Prote- "ſtation, would, according to his Solemn Vow, and Oath, "defend it with his Life, and Fortune. Neither did the ſit- "ting of a Parliament ſuſpend all, or any Law, in maintain- "ing that Law, which upholds the Privilege of Parliament; "which upholds the Parliament; which upholds the King- "dom. And they were ſo far from believing, that his Ma- "jeſty was the only Perſon againſt whom Treaſon could not "be committed, that, in ſome ſenſe, they acknowledged he "was the only Perſon againſt whom it Could be committed; "that is, as he is King: and that Treaſon which is againſt "the Kingdom, is more againſt the King, than that which is "againſt his Perſon; becauſe he is King: For that very Trea- "ſon is not Treaſon, as it is againſt him as a Man, but as "a Man that is a King; and as he hath relation to the King- "dom, and ſtands as a Perſon entruſted with the Kingdom, "and diſcharging that Truſt.

"Now, they ſaid, the Caſe was truly ſtated, and all the "world might judge where the Fault was; although they "muſt avow, that there could be no competent Judge of this

"or

"or any the like Caſe, but a Parliament. And they were as "confident, that his Majeſty ſhould never have cauſe to re- "ſort to any other Court, or Courſe, for the vindication of "his juſt Privileges, and for the recovery and maintenance "of his known, and undoubted Rights, if there ſhould be any "Invaſion, or Violation thereof, than to his high Court of "Parliament: And, in caſe thoſe wicked Counſellors about "him, ſhould drive him into any other Courſe from, and "againſt his Parliament, whatever his Majeſty's expreſſions, "and intentions were, they ſhould appeal to all mens Con- "ſciences; and deſire, that they would lay their hands upon "their hearts, and think with themſelves, whether ſuch Per- "ſons, as had of late, and ſtill did reſort unto his Majeſty, "and had his ear, and favour moſt, either had been, or were "more Zealous Aſſertors of the true Proteſtant Profeſſion "(although they believed they were more earneſt in the Pro- "teſtant Profeſſion, than in the Proteſtant Religion) or the "Law of the Land, the Liberty of the Subject, and the Privi- "leges of the Parliament, than the Members of both Houſes "of Parliament; who were inſinuated to be the Deſerters, "if not the Deſtroyers of them: And whether if they could "maſter this Parliament by force, they would not hold up "the ſame power to deprive us of all Parliaments; which are "the Ground, and Pillar of the Subjects Liberty, and that "which only maketh *England* a free Monarchy.

"For the Order of Aſſiſtance to the Committe of both "Houſes; as they had no Directions or Inſtructions, but "what had the Laws for their Limits, and the Safety of the "Land for their Ends, ſo they doubted not but all Perſons "mention'd in that Order, and all his Majeſty's good Sub- "jects, would yield Obedience to his Majeſty's Authority, "ſignified therein by both Houſes of Parliament. And that "all Men might the better know their duty in matters of that "nature, and upon how ſure a ground They go, that follow "the judgment of Parliament for their Guide, they wiſhed "them judiciouſly to conſider the true meaning, and ground "of that Statute made in the eleventh Year of King *Hen.* VII. "*ch.* 1. which was printed at large in the end of his Majeſty's "Meſſage of the fourth of *May*: The Statute provides, that "none who ſhall attend upon the King, and do him true Ser- "vice, ſhould be attainted, or forfeit any thing. What was "the Scope of that Statute? To provide that Men ſhould not "ſuffer as Traytors, for ſerving the King in his Wars accord- "ing to the duty of their Allegiance? If this had been all, "it had been a very needleſs, and ridiculous Statute. Was "it then intended (as They ſeem'd to take the meaning of it "to be, that cauſed it to be printed after his Majeſty's Meſ-

"ſage) that They ſhould be free from all Crime and Pe-
"nalty, that ſhould follow the King, and ſerve him in War
"in any caſe whatſoever; whether it were for, or againſt the
"Kingdom, and the Laws thereof? That could not be; for
"that could not ſtand with the Duty of their Allegiance;
"which, in the beginning of the Statute, was expreſſed to be
"to ſerve the King for the time being in his Wars, for the
"defence of Him, and the Land; and therefore if it be
"againſt the Land (as it cannot be underſtood to be other-
"wiſe, if it be againſt the Parliament, the Repreſentative
"body of the Kingdom) it is a declining from the duty of
"Allegiance; which this Statute ſuppoſed may be done,
"though Men ſhould follow the King's Perſon in the War:
"Otherwiſe there had been no need of ſuch a Proviſo in the
"end of the Statute, that none ſhould take the benefit there-
"by, that ſhould decline from their Allegiance. That there-
"fore which is the principal Verb in this Statute is, The
"ſerving of the King for the time being; which could not
"be meant of *Perkin Warbeck*, or any that ſhould call himſelf
"King; but ſuch a One, as whatever his Title might prove,
"either in Himſelf, or in his Anceſtors, ſhould be received,
"and acknowledged for ſuch by the Kingdom; the Conſent
"whereof cannot be diſcern'd but by Parliament; the Act
"whereof is the Act of the whole Kingdom, by the Perſonal
"Suffrage of the Peers, and the delegate Conſent of all the
"Commons of *England*.

"AND *Henry* the VII. a wiſe King, conſidering that what
"was the caſe of *Rich.* III. his Predeceſſor, might, by chance
"of Battle, be his own; and that he might at once, by ſuch
"a Statute as this, ſatisfy ſuch, as had ſerv'd his Predeceſſor
"in his Wars, and alſo ſecure thoſe, which would ſerve him,
"who might otherwiſe fear to ſerve him in the Wars; leſt,
"by chance of Battle, that might happen to him alſo (if a
"Duke of *York* had ſet up a Title againſt him) which had
"happen'd to his Predeceſſor, he procured this Statute to be
"made, That no man ſhould be accounted a Traytor for ſerv-
"ing the King, in his Wars, for the time being, that is,
"which was for the preſent allowed, and received by the
"Parliament in behalf of the Kingdom: And, as it is truly
"ſuggeſted, in the preamble of the Statute, it is not agreeable
"to Reaſon or Conſcience that it ſhould be otherwiſe; ſee-
"ing Men ſhould be put upon an Impoſſibility of knowing
"their Duty, if the judgment of the higheſt Court ſhould not
"be a Rule, and Guide to them. And if the judgment there-
"of ſhould be followed, where the Queſtion is, who is King?
"much more, what is the beſt Service of the King, and King-
"dom? and therefore thoſe, who ſhould guide themſelves

"by

"by the judgment of Parliament ought, whatever happen, "to be ſecure and free from all Account and Penalties, upon "the Grounds and Equity of this very Statute.

"THEY ſaid, They would conclude, that although thoſe "wicked Counſellors about his Majeſty, had preſum'd, un-"der his Majeſty's Name, to put that diſhonour, and affront "upon both Houſes of Parliament; and to make Them the "countenancers of Treaſon, enough to have diſſolv'd all the "bands, and ſinews of confidence between his Majeſty, and "his Parliament (of whom the Maxim of the Law is, that a "diſhonourable thing ought not to be imagin'd of them) yet "they doubted not, but it ſhould, in the end, appear to all "the world, that their endeavours had been moſt hearty and "ſincere, for the maintenance of the true Proteſtant Reli-"gion; the King's juſt Prerogative; the Laws, and Liberties "of the Land; and the Privileges of Parliament: in which "endeavours, by the Grace of God, they would ſtill perſiſt, "though they ſhould periſh in the work; which if it ſhould "be, it was much to be fear'd, that Religion, Laws, Liber-"ties, and Parliaments, would not be long lived after them.

THIS Declaration wrought more upon the minds of Men, than all that they had done; for the buſineſs at *Hull* was, by very many, thought to be done before projected; and the Argument of the Militia to be enter'd upon at firſt in paſſion, and afterwards purſued with that vehemence, inſenſibly, by being engaged; and that both extravagances had ſo much weighed down the King's Treſpaſſes, in coming to the Houſe and accuſing the Members, that a reaſonable agreement would have been the ſooner conſented to on all hands. But when, by this Declaration, they ſaw Foundations laid, upon which not only what had been already done, would be well juſtified, but whatſoever they ſhould, hereafter, find convenient to ſecond what was already done; and that not only the King, but the Regal Power was either ſuppreſſed, or depoſited in other hands; the irregularity, and monſtrouſneſs of which Principles found little oppoſition or reſiſtance, even for the Irregularity, and Monſtrouſneſs: Very many thought it as unſafe to be preſent at thoſe Conſultations, as to conſent to the Concluſions; and ſo great Numbers of the Members of both Houſes abſenting themſelves; and many, eſpecially of the Houſe of Peers, reſorted to his Majeſty at *York*. So that, in the Debates of the higheſt conſequence there was not uſually preſent, in the Houſe of Commons, the fifth part of their juſt Numbers; and very often, not above a Dozen or Thirteen, in the Houſe of Peers. In the mean time the King had a full Court, and receiv'd all Comers with great clemency, and grace; calling always all the Peers to Council, and

communicating with them all such Declarations, as he thought fit to publish in Answer to those of the Parliament; and all Messages, and whatever else was necessary to be done for the improvement of his condition: And having now the Great Seal with him, issued such Proclamations, as were seasonable for the Preservation of the Peace of the Kingdom. First he publish'd a Declaration in Answer to that of the nineteenth of *May*, in which his Majesty said,

His Majesty's Answer to the Declaration of the 19th of May.

"THAT if he could be weary of taking any pains for the "satisfaction of his People, and to undeceive them of those "specious, mischievous infusions, which were daily instill'd "into them to shake, and corrupt their Loyalty, and Affection "to his Majesty and his Government, after so full, and "ample Declaration of himself and Intentions, and so fair "and satisfactory Answers to all such matters as had been ob-"jected to him, by a Major part present to both Houses of "Parliament, He might well give over that labour of his "Pen; and sit still, till it should please God to enlighten the "affections, and understandings of his good Subjects on his "behalf (which he doubted not, but that, in His good Time, "he would do) that they might see His sufferings were "Their sufferings: but since, instead of applying themselves "to the method, proposed by his Majesty, of making such so-"lid particular Propositions, as might establish a good under-"standing between them, or of following the advice of his "Council of *Scotland* (with whom they communicated their "affairs) in forbearing all means that might make the breach "wider, and the wound deeper; they had chosen to pursue "his Majesty with new Reproaches, or rather to continue "and improve the old, by adding, and varying little Circum-"stances and Language, in matters formerly urged by them, "and fully Answer'd by his Majesty, He had prevail'd with "himself, upon very mature and particular consideration of "it, to Answer the late printed Book, Entituled, A Declaration, "or Remonstrance of the Lords and Commons, which was "order'd, the nineteenth of *May* last, to be printed and pub-"lished; hoping then, that they would put his Majesty to no "more of that trouble, but that That should have been the "last of such a Nature they would have communicated to "his People; and that they would not, as they had done "since, have thought fit to assault him with a newer Decla-"ration, indeed of a very New nature, and Learning; which "should have another Answer: and he doubted not, but that "his good Subjects would, in short time, be so well instruct-"ed in the differences, and mistakings between them, that "they would plainly discern, without resigning their reason "and understanding to His Prerogative, or the Infallibility

"of

"of a now Major part of both Houſes of Parliament (in-
"fected by a few Malignant Spirits) where the Fault
"was.

"His Majeſty ſaid, Though he ſhould, with all humility
"and alacrity, be always forward to acknowledge the Infinite
"Mercy, and Providence of Almighty God, vouchſafed, ſo
"many ſeveral ways, to Himſelf and this Nation; yet ſince
"God himſelf doth not allow, that we ſhould fancy, and
"create dangers to our ſelves, that we might manifeſt, and
"publiſh his Mercy in our Deliverance; he muſt profeſs, that
"he did not know thoſe Deliverances, mention'd in the be-
"ginning of that Declaration, from ſo many wicked Plots
"and Deſigns, ſince the beginning of this Parliament; which,
"if they had taken effect, would have brought ruine and deſtru-
"ction upon this Kingdom. His Majeſty well knew the great
"labour and skill, which had been uſed to amuſe, and affright
"his good Subjects with fears, and apprehenſions of Plots
"and Conſpiracies; the ſeveral Pamphlets publiſh'd, and Let-
"ters ſcatter'd up and down, full of ſuch ridiculous contem-
"ptible Animadverſions to that purpoſe, as (though they
"found, for what end God knows, very unuſual countenance)
"no Sober Man would be moved with them. But, he muſt
"confeſs, he had never been able to inform himſelf of any
"ſuch pernicious, form'd deſign againſt the Peace of the
"Kingdom, ſince the beginning of this Parliament, as was
"mention'd in that Declaration; or which might be any War-
"rant to thoſe great fears, both Houſes of Parliament ſeem'd
"to be tranſported with; but he had great reaſon to believe,
"that more miſchief and danger had been raiſed and begot-
"ten, to the diſturbance of the Kingdom, than cured and
"prevented, by thoſe Fears, and Jealouſies. And therefore,
"however the rumour, and diſcourſe of Plots and Conſpira-
"cies, might have been neceſſary to the deſigns of particu-
"lar Men, they ſhould do well not to pay any falſe Devo-
"tions to Almighty God, who diſcerns whether our dangers
"are real, or pretended.

"For the bringing up of the Army to *London*, as his Ma-
"jeſty had heretofore, by no other direction than the teſti-
"mony of a good Conſcience, call'd God to witneſs that he
"never had, or knew of any ſuch Reſolution; ſo he ſaid,
"upon the view of the Depoſitions now publiſh'd with that
"Declaration, it was not evident to his Majeſty, that there
"was ever ſuch a Deſign; unleſs every looſe Diſcourſe, or
"Argument, be evidence enough of a Deſign: And it was
"apparent, that what had been ſaid of it, was near three
"Months before the diſcovery to both Houſes of Parlia-
"ment; ſo that if there were any danger threaten'd that way,

"it vaniſhed without any reſiſtance or prevention by the Wiſ-
"dom, Power, or Authority of them.

"It ſeem'd the intention of that Declaration, whatſoever "other end it had, was to Anſwer a Declaration, they had "receiv'd from his Majeſty, in Anſwer to that which was "preſented to his Majeſty at *New-Market* the ninth of *March* "laſt; and likewiſe his Anſwer to the Petition of both "Houſes, preſented to him at *York*, the 26th of *March*: But, "before it fell upon any particular of his Majeſty's Declara-"tion or Anſwer, it complain'd that the Heads of the Ma-"lignant Party had, with much Art and Induſtry, adviſed him "to ſuffer divers unjuſt Scandals, and Imputations upon the "Parliament, to be publiſhed in His Name, whereby they "might make it odious to the People, and, by their help, "deſtroy it: but not inſtancing in any one Scandal, or Im-"putation, ſo publiſhed by his Majeſty, he was, he ſaid, ſtill "to ſeek for the Heads of that Malignant Party. But his good "Subjects would eaſily underſtand, that if he were guilty of "that Aſperſion, he muſt not only be active in raiſing the "Scandal, but paſſive in the miſchief begotten by that Scan-"dal, his Majeſty being an Eſſential part of the Parliament; "and he hoped the juſt defence of Himſelf and his Autho-"rity, and the neceſſary vindication of his Innocence and "Juſtice from the Imputations laid on him, by a Major part "then preſent of either or both Houſes, ſhould no more be "call'd a Scandal upon the Parliament, than the opinion of "ſuch a part be reputed an Act of Parliament: And he hoped "his good Subjects would not be long miſled, by that com-"mon expreſſion in all the Declarations, wherein they uſurp "the word Parliament, and apply it to countenance any Re-"ſolution or Vote ſome few had a mind to make, by call-"ing it the Reſolution of Parliament; which could never be "without his Majeſty's Conſent; neither could the Vote of "either or both Houſes make a greater alteration in the Laws "of the Kingdom (ſo ſolemnly made by the Advice of their "Predeceſſors, with the Concurrence of his Majeſty and his "Anceſtors) either by Commanding or Inhibiting any thing "(beſides the known rule of the Law) than his ſingle Dire-"ction or Mandate could do, to which he did not aſcribe that "Authority.

"But that Declaration inform'd the People, that the Ma-"lignant Party had drawn his Majeſty into the Northern "parts, far from his Parliament. It might, his Majeſty ſaid, "more truly and properly have ſaid, that it had Driven, than "Drawn him thither; for, he confeſſed, his Journey thither "(for which he had no other reaſon to be ſorry, than with "reference to the Cauſe of it) was only forced upon him, by

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"the true Malignant Party; which contriv'd and countenanced "those barbarous Tumults, and other Seditious Circum- "ſtances, of which he had ſo often complain'd, and hereafter "ſhall ſay more; and which indeed threaten'd ſo much dan- "ger to his Perſon, and laid ſo much Scandal upon the Pri- "vilege, and Dignity of Parliament, that he wonder'd it "could be mention'd without bluſhes or indignation: But of "that, anon: But why the Malignant Party ſhould be charged "with the cauſing a Preſs to be tranſported to *York*, his Ma- "jeſty ſaid, he could not imagine; neither had any Papers or "Writings iſſued from thence, to his knowledge, but what "had been extorted from him by ſuch Provocations, as had "not been before offer'd to a King. And, no doubt, it would "appear a moſt trivial, and fond Exception, when all Preſſes "were open to vent whatſoever they thought fit to ſay to the "People (a thing unwarranted by former cuſtom) that his "Majeſty ſhould not make uſe of all lawful means, to publiſh "his juſt, and neceſſary Anſwers thereunto. As for the Au- "thority of the Great Seal (though he did not know that it "had been neceſſary to things of that nature) the ſame ſhould "be more frequently uſed hereafter, as occaſion ſhould re- "quire; to which he made no doubt, but the greater, and "better part of his Privy Council would Concur; and whoſe "Advice he was reſolv'd to follow, as far as it ſhould be agree- "able to the Good, and Welfare of the Kingdom.

"BEFORE that Declaration vouchſafed to inſiſt upon any "particulars, it was pleaſed to cenſure both his Majeſty's De- "claration and Anſwer to be fill'd with harſh Cenſures, and "cauſleſs Charges upon the Parliament (ſtill miſapplying the "word Parliament to the Vote of both Houſes) concerning "which they reſolve to give ſatisfaction to the Kingdom, ſince "they found it very difficult to ſatisfy his Majeſty. If, as in "the uſage of the word Parliament, they had left his Majeſty "out of their thoughts; ſo by the word Kingdom, they in- "tended to exclude all his People who were not within their "Walls (for that was grown another Phraſe of the time, the "Vote of the Major part of both Houſes, and ſometimes of "one, was now call'd the Reſolution of the whole Kingdom) "his Majeſty believ'd, it might not be hard to give ſatis- "faction to themſelves; otherwiſe he was confident (and, he "ſaid, his confidence proceeded from the uprightneſs of his "own Conſcience) they would never be able to ſever the "Affections of his Majeſty and his Kingdom, that what could "not be ſatisfaction to the One, ſhould be to the Other: "Neither would the ſtyle of Humble, and Faithful, and tell- "ing his Majeſty, that they will make him a Great and Glo- "rious King, in their Petitions and Remonſtrances, ſo deceive

"his good Subjects, that they would pass over the Reproaches, "Threats, and Menaces they were stuffed with; which surely could not be more gently reprehended by his Majesty, "than by saying, their Expressions were different from the "usual Language to Princes; which that Declaration told "him, he had no occasion to say: But he believ'd, whosoever "looked over that Declaration, presented to him at *New-Market*, to which his was an Answer, would find the Language throughout it to be so unusual, that, before this Parliament, it could never be parallel'd; whilst under pretence "of justifying their Fears, they gave so much countenance to "the discourse of the Rebels of *Ireland*, as if they had a mind "his good Subjects should give credit to it: Otherwise, being "warranted by the same evidence, which they have since published, they would have as well declar'd, That those Rebels publickly threaten the rooting out the Name of the "*English*, and that they will have a King of their own, and "no longer be govern'd by his Majesty, as that they say, "That they do nothing, but by his Majesty's Authority; and "that they call themselves the Queen's Army. And therefore "he had great reason to complain of the absence of Justice "and Integrity in that Declaration; besides the unfitness of "other Expressions.

"NEITHER did his Majesty mistake the Substance, or "Logick of their Message to him, at *Theobalds*, concerning "the Militia; which was no other, and was stated to be no "other, even by that Declaration that reproved him, than a "plain Threat, That if his Majesty refused to joyn with them, "they would make a Law without him: Nor had the Practice since that time been other; which would never be justified to the most ordinary if not partial understandings, by "the meer averring it to be according to the Fundamental "Laws of this Kingdom, without giving any directions, that "the most Cunning and Learned Men in the Laws, might be "able to find those Foundations. And he would appeal unto "all the World, whether they might not, with as much Justice, and by as much Law, have seised upon the Estate of "every Member of both Houses, who dissented from that "pretended Ordinance (which much the Major part of the "House of Peers did, two or three several times) as they "had invaded that Power of His over the Militia, because he, "upon reasons they had not so much as pretended to Answer, "refused to Consent to that Proposition.

"AND if no better Effects, than loss of Time, and hinderance of the Publick Affairs, had been found by his Answers "and Replies, all Good Men might judge by whose Default, "and whose want of Duty, such Effects had been; for as his

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"End, indeed his only End, in those Answers and Replies, "had been the settlement and composure of Publick Affairs; "so, he was assured, and most Men did believe, that if that "due regard and reverence had been given to his words, and "that consent and obedience to his Counsels, which he ex- "pected, there had been, before that time, a chearful calm "upon the face of the whole Kingdom; every Man enjoying "his own, with all possible Peace and Security that can be "imagin'd; which surely those Men did not desire, who (after "all those Acts of Justice, and Favour passed by him, this "Parliament; all those Sufferings, and Affronts, endured and "undergone by him) thought fit still to reproach him with "Ship-money, Coat and Conduct-money, and other things "so abundantly declar'd, as that Declaration it self confessed, "in the general Remonstrance of the State of the Kingdom, "published in *November* last; which his Majesty wonder'd to "find now avow'd to be the Remonstrance of both Houses; "and which, he was sure, was presented to him only by the "House of Commons; and did never, and, he was confident, "in that time could never have passed the House of Peers; "the Concurrence, and Authority of which, was not then "thought necessary. Should his Majesty believe those Re- "proaches to be the Voice of the Kingdom of *England*, That "all his loving Subjects eased, refreshed, strengthen'd, and "abundantly satisfied with his Acts of Grace and Favour to- "wards them, were willing to be involved in those unthank- "ful Expressions? He would appeal to the Thanks, and Ac- "knowledgments published in the Petitions of most of the "Counties of *England*; to the Testimony, and Thanks, he "had received from both Houses of Parliament; how sea- "sonable, how agreeable that usage was to his Majesty's Me- "rit, or their former Expressions.

"His Majesty said, He had not at all swerved, or departed "from his Resolutions, or Words, in the beginning of this "Parliament: he had said, he was resolved to put himself free- "ly, and clearly upon the Love and Affection of his *English* "Subjects; and he said so still, as far as concerns *England*. "And he call'd Almighty God to witness, all his Complaints "and Jealousies, which had never been causeless, nor of his "Houses of Parliament (but of some few Schismatical, Facti- "ous, and Ambitious Spirits; and upon grounds, as he feared, "a short time would justify to the World) his Denial of the "Militia, his absenting himself from *London*, had been the "effects of an upright, and faithful Affection to his *English* Sub- "jects; that he might be able, through all the inconveniences "he might be compell'd to wrestle with, at last to preserve, "and restore their Religion, Laws, and Liberties unto them.

"Since

"SINCE the Proceeding againſt the Lord *Kimbolton*, and "the five Members, was ſtill looked upon, and ſo often "preſſed, as ſo great an advantage againſt his Majeſty, that no "Retraction made by him, nor no Action, ſince that time "committed againſt Him, and the Law of the Land, under "the pretence of Vindication of Privilege, could ſatisfy the "Contrivers of that Declaration, but that they would have "his good Subjects believe, the Accuſation of thoſe ſix "Members muſt be a Plot for the breaking the Neck of the "Parliament (a ſtrange Arrogance if any of thoſe Members "had the Penning of that Declaration) and that it was ſo "often urged againſt him, as if by that ſingle, caſual Mi-"ſtake of his, in form only, he had forfeited all Duty, Cre-"dit, and Allegiance from his People, he ſaid, he would, "without endeavouring to excuſe that, which in truth was an "Error (his going to the Houſe of Commons) give his Peo-"ple, a full, and clear Narration of the matter of Fact; aſ-"ſuring himſelf, that his good Subjects would not find his "carriage in that buſineſs, ſuch as had been reported.

"HIS Majeſty ſaid, That when he reſolv'd, upon ſuch "grounds, as, when they ſhould be publiſhed, would ſatisfy "the World, that it was fit for his own Safety, and Honour, "and the Peace of the Kingdom, to proceed againſt thoſe "Perſons; though he well knew, there was no degree of "Privilege in that Caſe; yet to ſhew his deſire of Correſpon-"dence with the two Houſes of Parliament, he choſe rather "than to apprehend their Perſons by the ordinary Miniſters "of Juſtice (which, according to the opinion, and practice "of former times, he might have done) to Command his "Atturney General, to acquaint his Houſe of Peers with his "intention, and the general matters of his Charge (which "was yet more particular, than a meer Accuſation) and to "proceed accordingly; and at the ſame time ſent a ſworn "Servant, a Serjeant at Arms, to the Houſe of Commons, "to acquaint them, that his Majeſty did accuſe, and intended "to proſecute the five Members of that Houſe for High "Treaſon; and did require, that their Perſons might be ſe-"cured in Cuſtody. This he did, not only to ſhew that he "intended not to Violate, or Invade their Privileges, but to "uſe more Ceremony towards them, than he then conceived "in juſtice might be required of him; and expected at leaſt "ſuch an Anſwer, as might inform him, if he were out of "the way; but he receiv'd none at all; only, in the inſtant, "without offering any thing of their Privileges to his Conſi-"deration, an Order was made, and the ſame Night publiſh-"ed in Print, That if any Perſon whatſoever, ſhould offer to "Arreſt the Perſon of any Member of that Houſe, without

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"firſt acquainting that Houſe therewith, and receiving further "Order from that Houſe, that it ſhould be Lawful for ſuch "Member, or any Perſon, to reſiſt them, and to ſtand upon "his, or their Guard of Defence; and to make reſiſtance, "according to the Proteſtation taken to defend the Privilege "of Parliament: And this was the firſt time that he heard "the Proteſtation might be wreſted to ſuch a ſenſe, or that in "any Caſe, though of the moſt undoubted and unqueſtion-"able Privilege, it might be Lawful for any Perſon to reſiſt, "and uſe violence againſt a Publick Miniſter of Juſtice, arm'd "with Lawful Authority; though his Majeſty well knew, "that even ſuch a Miniſter might be puniſhed for executing "ſuch Authority.

"UPON viewing that Order, his Majeſty confeſſed, he "was ſomewhat amaz'd, having never ſeen, or heard of the "like; though he had known Members of either Houſe com-"mitted, without ſo much formality as he had uſed, and "upon Crimes of a far inferiour nature to thoſe he had ſug-"geſted; and having no courſe propoſed him for his Pro-"ceeding, he was, upon the matter, only told, that againſt "thoſe Perſons he was not to proceed at all; that they were "above His reach, or the reach of the Law. It was not eaſy "for him to reſolve what to do: If he imploy'd his Miniſters "of Juſtice in the uſual way for their apprehenſion, who "without doubt would not have refuſed to have executed "his Lawful Commands, he ſaw what oppoſition, and re-"ſiſtance, was like to be made; which, very probably, might "have coſt ſome Blood: If he ſat ſtill, and deſiſted upon "that Terrour, he ſhould, at the beſt, have confeſſed his "own want of Power, and the weakneſs of the Law. In that "ſtreight, he put on a ſuddain Reſolution, to try whether his "own Preſence, and clear diſcovery of his Intention, which "happily might not have been ſo well underſtood, could re-"move thoſe Doubts, and prevent thoſe Inconveniencies, "which ſeem'd to have been threaten'd; and thereupon, he "Reſolv'd to go in his own Perſon, to the Houſe of Com-"mons; which he diſcover'd not, till the very minute of his "going; when he ſent out Orders, that his Servants, and "ſuch Gentlemen as were then in his Court, ſhould attend "him to *Weſtminſter*; but giving them expreſs Command as "he had expreſſed in his Anſwer to the Ordinance, that no "Accidents, or Provocation, ſhould draw them to any ſuch "Action, as might imply a purpoſe of Force in his Majeſty; "and Himſelf, requiring thoſe of his Train not to come "within the Door, went into the Houſe of Commons; the "bare doing of which, he did not then conceive, would have "been thought more a breach of Privilege, than if he had

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"gone to the House of Peers, and sent for them to come to "him; which was the usual Custom.

"He used the best Expressions he could, to assure them "how far he was from any intention of violating their Pri- "vileges; that he intended to proceed legally, and speedily "against the Persons he had accused; and desired therefore, "if they were in the House, that they might be deliver'd to "him; or if absent, that such course might be taken for their "forth coming, as might satisfy his just Demands; and so he "departed, having no other purpose of Force, if they had "been in the House, than he had before protested, before "God, in his Answer to the Ordinance. They had an ac- "count now of his part of that story fully; his People might "judge freely of it. What follow'd on their part (though "that Declaration said, it could not withdraw any part of "their Reverence and Obedience from his Majesty; it might "be any part of theirs it did not) he should have too much "cause hereafter to inform the World.

"His Majesty said, there would be no end of this discourse, "and of upbraiding him with evil Counsellors, if, upon his "constant denial of knowing any, they would not vouchsafe "to inform him of them; and after eight Months amusing "the Kingdom with the expectation of the discovery of a "Malignant Party, and of evil Counsellors, they would not "at last name any, nor describe them. Let the Actions or "Lives of Men be examin'd, who had Contriv'd, Coun- "selled, actually consented to Grieve, and Burden his Peo- "ple; and if such were now about his Majesty, or any "against whom any notorious, malicious Crime could be "proved, if he shelter'd and protected any such, let his In- "justice be published to the World: but till that were done "particularly and manifestly (for he should never conclude "any Man upon a bare, general Vote of the Major part of "either, or both Houses, till it were evident, that That Ma- "jor part was without Passion or Affection) he must look "upon the charge that Declaration put upon him, of cherish- "ing and countenancing a Discontented Party of the King- "dom against them, as a heavier and unjuster Tax upon his "Justice and Honour, than any He had, or could lay upon "the Framers of that Declaration. And now, to countenance "those unhandsome Expressions, whereby they usually had "implied his Majesty's Connivance at, or want, of Zeal against "the Rebellion of *Ireland* (so odious to all Good Men) they "had found a new way of exprobration: That the Procla- "mation against those bloody Traytors came not out, till "the beginning of *January*, though that Rebellion broke "out in *October*, and then, by special Command from his "Majesty,

" Majeſty, but forty Copies were appointed to be Printed. " His Majeſty ſaid, it was well known where he was at that " time, when that Rebellion broke forth; in *Scotland*: That " He immediately, from thence, recommended the Care of " that Buſineſs to both Houſes of Parliament here, after he " had provided for all fitting Supplies from his Kingdom of " *Scotland*: That after his return hither, he obſerv'd all thoſe " Forms for that Service, which he was adviſed to by his " Council of *Ireland*, or both Houſes of Parliament here, and " if no Proclamation iſſued out ſooner (of which, for the pre- " ſent, he was not certain; but thought that others, by his " directions, were iſſued before that time) it was, becauſe " the Lords Juſtices of the Kingdom deſired them no ſooner; " and when they did, the number they deſired was but " Twenty; which they adviſed might be ſign'd by his Ma- " jeſty; which he, for expedition of the Service, commanded " to be Printed; a Circumſtance not required by them; there- " upon he ſign'd more of them, than his Juſtices deſired; all " which was very well known to ſome Members of one, or " both Houſes of Parliament; who had the more to Anſwer, " if they forbore to expreſs it at the paſſing of that Declara- " tion; and if they did expreſs it, he had the greater reaſon " to complain, that ſo envious an Aſperſion ſhould be caſt on " his Majeſty to his People, when they knew well how to An- " ſwer their own Objection.

" What that Complaint was againſt the Parliament, put " forth in his Name, which was ſuch an Evidence and Coun- " tenance to the Rebels, and ſpoke the ſame Language of the " Parliament which the Rebels did; he ſaid he could not un- " derſtand. All his Anſwers and Declarations had been, and " were, own'd by himſelf; and had been atteſted under his " own hand; if any other had been publiſhed in his Name, " and without his Authority, it would be eaſy for both Houſes " of Parliament to diſcover, and apprehend the Authors: " And he wiſhed, that whoſoever was truſted with the Draw- " ing, and Penning that Declaration, had no more Authority, " or Cunning to impoſe upon, or deceive a Major part of " thoſe Votes, by which it paſſed, than any Man had to pre- " vail with his Majeſty to publiſh in his Name any thing, but " the Senſe, and Reſolution of his own Heart; or that the " Contriver of that Declaration could, with as good a Con- " ſcience, call God to witneſs, that all his Counſels and En- " deavours had been free from all private Aims, perſonal " Reſpects or Paſſions whatſoever, as his Majeſty had done, " and did, That he never had, or knew of any ſuch Reſolution " of bringing up the Army to *London*.

" And ſince that new Device was found out, inſtead of " An-

"Answering his reasons, or satisfying his just demands, to blast "his Declarations and Answers, as if they were not his own; "a bold, senseless Imputation: He said he was sure, that every "Answer, and Declaration, published by his Majesty, was "much more his own, than any one of those bold, threatning, "and reproachful Petitions, and Remonstrances, were the "Acts of either, or both Houses. And if the Penner of that "Declaration had been careful of the Trust reposed in him, "he would never have denied (and thereupon found fault "with his Majesty's just indignation) in the Text or Margent, "that his Majesty had never been charged with the Intention "of any Force; and that in their whole Declaration, there "was no one word tending to any such reproach; the con-"trary whereof was so evident, that his Majesty was, in ex-"press terms, charged in that Declaration, that he had sent "them gracious Messages, when, with his Privity, bringing "up the Army was in agitation; and, even in that Declara-"tion, they sought to make the People believe some such "thing to be proved, in the Depositions therewith published; "wherein, his Majesty doubted not, they would as much fail, "as they did in their Censure of that Petition, shew'd for-"merly to his Majesty by Captain *Leg*, and subscribed by him "C. R. which, notwithstanding his Majesty's full, and parti-"cular Narration of the substance of that Petition, the cir-"cumstances of seeing and approving it, that Declaration was "pleased to say, was full of Scandal to the Parliament, and "might have proved dangerous to the whole Kingdom. If "they had that dangerous Petition in their hands, his Majesty "said, he had no reason to believe any tenderness towards "Him had kept them from communicating it; if they had it "not, his Majesty ought to have been believed: But that all "good People might compute their other pretended dangers "by their clear understanding of that, the noise whereof had "not been inferiour to any of the rest, his Majesty said, he "had recover'd a true Copy of the very Petition he had sign'd "with C. R. which should, in fit time, be published; and "which, he hoped, would open the eyes of his good People.

"Concerning his Warrant for Mr *Jermyn*'s Passage, "his Answer was true, and full; but for his black Satten Suit, "and white Boots, he could give no Account.

"His Majesty had complain'd in his Declaration, and, as "often as he should have occasion to mention his return, and "residence near *London*, he should complain, of the barbarous "and seditious Tumults at *White-Hall*, and *Westminster*; which "indeed had been so full of Scandal to his Government, and "danger to his Person, that he should never think of his re-"turn thither, till he had Justice for what was past, and Se-

"curity

" curity for the time to come: And if there were ſo great a " neceſſity, or deſire of his return, as was pretended, in all " this time, upon ſo often preſſing his deſires, and upon cauſes " ſo notorious, he ſhould at leaſt have procured ſome Order " for the future. But that Declaration told his Majeſty he was, " upon the matter miſtaken; the reſort of the Citizens to " *Weſtminſter* was as lawful, as the reſort of great Numbers " every day in the Term to the Ordinary Courts of Juſtice; " They knew no Tumults. Strange! Was the diſorderly ap- " pearance of ſo many thouſand People, with Staves and " Swords, crying through the Streets, *Weſtminſter-Hall*, the " Paſſage between both Houſe (inſomuch as the Members " could hardly paſs to and fro) *No Biſhops, down with the* " *Biſhops*, No Tumults? What Member was there of either " Houſe, that ſaw not thoſe Numbers, and heard not thoſe " Cries? And yet lawful Aſſemblies! Were not ſeveral Mem- " bers of either Houſe, aſſaulted, threaten'd, and evilly en- " treated? And yet no Tumults! Why made the Houſe of " Peers a Declaration, and ſent it down to the Houſe of Com- " mons for the ſuppreſſing of Tumults, if there were no Tu- " mults? And if there were any, why was not ſuch a Decla- " ration conſented to, and publiſhed? When the Attempts " were ſo viſible, and threats ſo loud to pull down the Abby " at *Weſtminſter*, had not his Majeſty juſt cauſe to apprehend, " that ſuch People might continue their work to *White-Hall*? " Yet no Tumults? What a ſtrange time are We in, that " a few impudent, malicious (to give them no worſe term) " Men, ſhould caſt ſuch a Miſt of errour before the eyes of " both Houſes of Parliament, as that they either could not, or " would not, ſee how manifeſtly they injured themſelves, by " maintaining thoſe viſible untruths. His Majeſty ſaid, he " would ſay no more: by the help of God and the Law, he " would have Juſtice for thoſe Tumults.

" FROM excepting, how weightily every Man might judge, " to what his Majeſty had ſaid, that Declaration proceeded to " cenſure him for what he had not ſaid; for the prudent " Omiſſions in his Anſwers: His Majeſty had forborn to ſay " any thing of the words ſpoken at *Kenſington*; or the Arti- " cles againſt his deareſt Conſort, and the Accuſation of the " ſix Members: Of the laſt, his Majeſty ſaid, He had ſpoken " often; and he thought, enough of the other two; but hav- " ing never accuſed any (though God knew what truth there " might be in either) he had no reaſon to give any particular " Anſwer.

" HE ſaid, He did not reckon himſelf bereav'd of any part " of his Prerogative; which he was pleaſed freely, for a time, " to part with by Bill; yet he muſt ſay, He expreſſed a great

" Truſt

"Trust in his two Houses of Parliament, when he divested "himself of the power of dissolving this Parliament; which "was a just, necessary, and proper Prerogative. But he was "glad to hear their resolution, that it should not encourage "them to do any thing which otherwise had not been fit to "have been done: If it did, it would be such a breach of "Trust, as God would require an Account for at their hands.

"For the Militia, he had said so much of it before, and "the Point was so well understood by all Men, that he would "waste time no more in that Dispute. He never had said, "there was no such thing as an Ordinance, though he knew "that they had been long disused, but that there was never "any Ordinance, or could be any, without the King's con- "sent; and that was true: And the unnecessary Precedent, "cited in that Declaration, did not offer to prove the contra- "ry. But enough of that; God and the Law must determine "that business.

"Neither had that Declaration, given his Majesty any "satisfaction concerning the Votes of the fifteenth and six- "teenth of *March* last; which he must declare, and appeal to "all the World in the Point, to be the greatest violation of his "Majesty's Privilege, the Law of the Land, the Liberty of "the Subject, and the Right of Parliament, that could be "imagin'd. One of those Votes was, and there would need "no other to destroy the King and People, That when the "Lords and Commons (it is well the Commons are admitted "to their part in Judicature) shall declare what the Law of "the Land is, the same must be assented to and obey'd; that "is the sense in few words. Where is every Man's Proper- "ty; every Man's Liberty? If the Major part of both Houses "declare, that the Law is that the younger Brother shall in- "herit; what is become of all the Families, and Estates in "the Kingdom? If they declare, that by the Fundamental "Laws of the Land, such a rash Action, such an unadvised "Word, ought to be punish'd by perpetual Imprisonment, is "not the Liberty of the Subject, *durante beneplacito*, reme- "diless? That Declaration confesses, they pretend not to a "power of making new Laws; that without his Majesty, they "could not do That: They needed no such power, if their "Declaration could suspend this Statute from being obey'd, "or executed. If they had power to declare the Lord *Digby*'s "waiting upon his Majesty, at *Hampton-Court*, and thence "visiting some Officers at *Kingston*, with a Coach and six "Horses, to be levying of War, and High Treason; and "Sr *John Hotham*'s defying his Majesty to his face, keeping his "Majesty's Town, Fort, and Goods against him, by force of "Arms, to be an Act of Affection, and Loyalty; What

"needed

"needed a power of making new Laws? Or would there be "such a thing as Law left?

"He desired his good Subjects to mark the reason, and "consequence of those Votes; the progress they had already "made, and how infinite the progress might be. First, they "Voted the Kingdom was in Imminent danger (it was now "above three Months since they discern'd it) from Enemies "abroad, and from a Popish, and disaffected party at home; "that is matter of Fact; the Law follows: This Vote had "given them Authority by Law, the Fundamental Laws of "the Kingdom, to order and dispose of the Militia of the "Kingdom; and, with this Power, and to prevent that dan-"ger, to enter into his Majesty's Towns, seise upon his Ma-"gazine, and, by Force, keep both from him. Was not that "his Majesty's Case? First, they Vote he had an Intention "to levy War against his Parliament; that is matter of Fact; "Then they declare such as shall assist him, to be guilty of "High Treason; that is the Law, and proved by two Sta-"tutes Themselves knew to be repealed. No matter for that, "They declare it. Upon this ground they exercise the Mi-"litia; and so actually do that upon his Majesty, which they "had Voted he intended to do upon Them. Who could not "see the confusion, that must follow upon such Power of "Declaring? If they should now Vote that his Majesty did "not write this Declaration, but that such a One did it, which "was still matter of Fact; and then Declare, that, for so do-"ing, he was an Enemy to the Common-wealth; what was "become of the Law that man was born to? And if all their "Zeal for the defence of the Law, were but to defend that "which They Declared to be Law, their own Votes; it "would not be in their power to satisfy any Man of their "good Intentions to the publick Peace, but such who were "willing to relinquish their Title to *Magna Charta*, and hold "their Lives, and Fortunes, by a Vote of the Major part of "both Houses. In a word, his Majesty denied not, but they "might have power to declare in a particular, doubtful Case, "regularly brought before them, what Law is: but to make "a general Declaration, whereby the known rule of the Law "might be crossed or alter'd, they had no power; nor could "exercise any, without bringing the Life and Liberty of the "Subject to a Lawless, and Arbitrary Subjection.

"His Majesty had complain'd (and the world might "Judge of the Justice, and Necessity of that complaint) of the "multitude of seditious Pamphlets, and Sermons; and that "Declaration told him, they knew he had ways enough in "his ordinary Courts of Justice, to punish those; so his Ma-"jesty said, he had to punish Tumults and Riots; and yet

"they would not serve his turn to keep his Towns, his Forrests, and Parks from violence. And it might be, though "those Courts had still the Power to punish, they might have "lost the skill to define, what Tumults and Riots are; otherwise a Jury in *Southwark*, legally impannell'd to examine a "Riot there, would not have been superseded, and the Sheriff "enjoyn'd not to proceed, by virtue of an Order of the House "of Commons; which, it seem'd, at that time had the sole "power of Declaring. But it was no wonder that they who "could not see the Tumults, did not consider the Pamphlets "and Sermons; though the Author of the *Protestation Protested*, were well known to be *Burton* (that infamous disturber of the Peace of the Church and State) and that he "Preach'd it at *Westminster*, in the hearing of divers Members "of the House of Commons. But of such Pamphlets and seditious Preachers (divers whereof had been recommended, if "not imposed upon several Parishes, by some Members of "both Houses, by what Authority his Majesty knew not) he "would hereafter take a further Account.

"His Majesty said, He confessed he had little skill in the "Laws; and those that had had most, he found now were much "to seek; Yet he could not understand or believe, that every "ordinary Court, or any Court, had power to raise what "Guard they pleased, and under what Command they pleased. "Neither could he imagine, what dangerous Effects they found "by the Guard he appointed them; or indeed any the least "occasion, why they needed any Guard at all.

"But of all the Imputations, so causlessly and unjustly laid "upon his Majesty by that Declaration, he said, He must "wonder at that Charge so apparently, and evidently Untrue; That such were continually preferr'd and countenanced by him, who were friends or favourers or related "unto the chief Authors, and Actors of that Arbitrary Power "heretofore practised, and complain'd of: And on the other "side, that such as did appear against it, were daily discountenanced, and disgraced. He said, he would know One Person that contributed to the ills of those times, or had dependence upon those that did, whom he did, or lately had "countenanced, or preferr'd; nay he was confident (and he "looked for no other at their hands) as they had been always "most Eminent Asserters of the publick Liberties; so if they "found his Majesty inclined to any thing not agreeable to "Honour and Justice, they would leave him to morrow. Whether different Persons had not, and did not receive countenance elsewhere, and upon what grounds, all men might "judge; and whether his Majesty had not been forward "enough to honour and prefer those of the most contrary opinion,

" nion, how little comfort ſoever he had of thoſe Preferments,
" in beſtowing of which, hereafter, he would be more guided
" by Men's Actions, than Opinions. And therefore he had
" good cauſe to beſtow that admonition (for his Majeſty aſ-
" ſur'd them, it was an admonition of his Own) upon both
" his Houſes of Parliament, to take heed of inclining, under
" the ſpecious ſhews of Neceſſity and Danger, to the exerciſe
" of ſuch an Arbitrary Power, they before complain'd of: the
" Advice would do no harm, and he ſhould be glad to ſee it
" follow'd.

" His Majeſty asked, if all the ſpecious Promiſes, and loud
" Profeſſions, of making him a Great and Glorious King; of ſet-
" ling a greater Revenue upon his Majeſty, than any of his An-
" ceſtors had enjoy'd; of making him to be honour'd at home,
" and fear'd abroad; were reſolv'd into this, That they would
" be ready to ſettle his Revenue in an Honourable propor-
" tion, when he ſhould put himſelf in ſuch a poſture of Go-
" vernment, that his Subjects might be ſecure to enjoy his
" juſt Protection for their Religion, Laws, and Liberties?
" What poſture of Government they intended, he knew not;
" nor could he imagine what ſecurity his good Subjects could
" deſire for their Religion, Laws, and Liberties, which he
" had not offer'd or fully given. And was it ſuitable to the
" Duty, and Dignity of both Houſes of Parliament, to An-
" ſwer his particular, weighty Expreſſions of the cauſes of his
" remove from *London*, ſo generally known to the King-
" dom, with a Scoff; That they hoped he was driven from
" thence, not by his own fears, but by the fears of the Lord
" *Digby*, and his retinue of Cavaliers? Sure, his Majeſty ſaid
" the Penner of that Declaration, inſerted that ungrave and
" inſolent Expreſſion, as he had done divers others, without
" the conſent, or examination of both Houſes; who would
" not ſo lightly have departed from their former profeſſions
" of Duty to his Majeſty.

" Whether the way to a good underſtanding between
" his Majeſty, and his People, had been as zealouſly preſſed
" by Them, as it had been profeſſed, and deſired by Him,
" would be as eaſily diſcern'd by them who obſerv'd that He
" had left no publick Act undone on His part, which, in the
" leaſt degree, might be neceſſary to the peace, plenty, and
" ſecurity of his Subjects: And that They had not diſpatch'd
" one Act, which had given the leaſt evidence of their parti-
" cular affection, and kindneſs to his Majeſty; but on the con-
" trary, had diſcountenanced and hinder'd the Teſtimony other
" Men would give to him of their affections. Witneſs the
" ſtopping, and keeping back the Bill of Subſidies, granted by
" the Clergy almoſt a year ſince; which, though his Perſonal

"wants were so notoriously known, they would not, to that "time, pass, so not only forbearing to supply his Majesty "themselves, but keeping the love and bounty of other Men "from him; and affording no other Answers to all his de- "sires, all his reasons (indeed not to be Answer'd) than that "he must not make his understanding, or reason, the Rule "of his Government; but suffer himself to be assisted (which "his Majesty never denied) by his Great Council. He said, "he required no other Liberty to his Will, than the meanest "of Them did (he wished they would always use that Li- "berty) not to consent to any thing evidently contrary to "his conscience, and understanding: And he had, and should "always give as much estimation, and regard to the Advice, "and Counsel of both Houses of Parliament, as ever Prince "had done: But he should never, and he hoped his People "would never, account the Contrivance of a few Factious, Se- "ditious Persons, a Malignant Party, who would sacrifice the "Common-wealth to their own fury and ambition, the Wis- "dom of Parliament; and that the justifying, and defending "of such Persons (of whom, and of their particular, sinister "ways, to compass their own bad ends, his Majesty would "shortly inform the world) was not the way to preserve "Parliaments, but was the opposing, and preferring a few "unworthy Persons, before their Duty to their King, or their "Care of the Kingdom. They would have his Majesty re- "member, that His Resolutions did concern Kingdoms, and "therefore not to be molded by his own understanding: He "said, he did well remember it; but he would have Them "remember, that when their Consultations endeavour'd to "lessen the Office, and Dignity of a King, they meddled with "that which is not within their determination, and of which "his Majesty must give an account to God, and his other "Kingdoms, and must maintain with the Sacrifice of his Life.

"LASTLY, that Declaration told the People of a present, "desperate, and malicious Plot the Malignant Party was then "acting, under the plausible notions of stirring Men up to a "care of preserving the Kings Prerogative; maintaining the "discipline of the Church, upholding and continuing the re- "verence, and solemnity of God's Service; and encouraging "Learning (indeed plausible, and Honourable notions to act "any thing upon) and that upon those grounds divers muti- "nous Petitions had been framed in *London*, *Kent*, and other "places: His Majesty asked upon what grounds these Men "would have Petitions framed? Had so many Petitions, even "against the form, and constitution of the Kingdom and the "Laws establish'd, been joyfully receiv'd, and accepted? And "should Petitions framed upon those grounds be call'd Mu-

"tinous?

"tinous? Had a multitude of mean, unknown, inconsidera-
"ble, contemptible Persons, about the City, and Suburbs of
"*London*, had liberty to Petition against the Government of
"the Church; against the Book of Common-Prayer; against
"the Freedom, and Privilege of Parliament; and been thank-
"ed for it: and should it be call'd Mutiny, in the greatest and
"best Citizens of *London*, and the Gentry and Commonalty
"of *Kent*, to frame Petitions upon those grounds; and to de-
"sire to be govern'd by the known Laws of the Land, not
"by Orders and Votes of either, or both Houses? Could this
"be thought the Wisdom, and Justice of both Houses of Par-
"liament? Was it not evidently the work of a Faction, with-
"in or without both Houses, who deceived the Trust re-
"posed in them; and had now told his Majesty, what Mu-
"tiny was? To stir men up to a care of preserving his Pre-
"rogative, maintaining the Discipline of the Church, uphold-
"ing and continuing the Reverence, and Solemnity of God's
"Service, encouraging of Learning, was Mutiny. Let Hea-
"ven and Earth, God and Man, judge between his Majesty
"and these Men: And however such Petitions were there
"called Mutinous; and the Petitioners threaten'd, discounte-
"nanced, censured, and imprison'd; if they brought such Pe-
"titions to his Majesty, he would graciously receive them;
"and defend them and their Rights, against what Power so-
"ever, with the utmost hazard of his being.

"His Majesty said, he had been the longer, to his very
"great pain, in this Answer, that he might give the World sa-
"tisfaction, even in the most trivial particulars, which had
"been objected against him; and that he might not be again
"reproach'd, with any more prudent Omissions. If he had
"been compell'd to sharper Language than his Majesty affect-
"ed, it might be consider'd, how vile, how insufferable his
"Provocations had been: And, except to repel force were to
"assault, and to give punctual and necessary Answers to rough
"and insolent Demands, were to make Invectives, he was con-
"fident the World would accuse his Majesty of too much
"mildness; and all his good Subjects would think, he was
"not well dealt with; and would judge of his Majesty, and
"of their own happiness, and security in him, by his Actions;
"which he desired might no longer Prosper, or have a Bles-
"sing from God upon them, and his Majesty, than they should
"be directed to the Glory of God in the maintenance of the
"true Protestant Profession; to the Preservation of the Pro-
"perty and Liberty of the Subject, in the observation of the
"Laws; and to the maintenance of the Rights and Freedom
"of Parliament, in the allowance and protection of all their
"just Privileges.

The King's Answer to the Declaration of May 26. 1642.

THIS Declaration was no sooner publiſhed, but his Majeſty likewiſe ſet forth an Anſwer to that other Declaration, of the 26th of *May*; in which he ſaid, "That whoſoever "looked over the late Remonſtrance, Entituled *A Declara-* "*tion of the Lords and Commons*, of the 26th of *May*, would "not think that his Majeſty had great reaſon to be pleaſed "with it; yet he could not but commend the plain dealing, "and ingenuity of the framers, and contrivers of that Decla- "ration (which had been wrought in a hotter and quicker "Forge than any of the reſt) who would no longer ſuffer his "Majeſty to be Affronted by being told, They would make "him a Great and Glorious King; whilſt they uſed all poſ- "ſible skill, to reduce him to extreme want, and indigency; "and that they would make him to be loved at Home, and "feared Abroad; whilſt they endeavour'd, by all poſſible ways, "to render him odious to his good Subjects, and contempti- "ble to all Forreign Princes, but, like round dealing Men, told "him, in plain *Engliſh*, That they had done him no wrong, "becauſe he was not capable of receiving any; and that they "had taken nothing from him, becauſe he had never any "thing of his own to loſe. If that Doctrine were true, and "that indeed he ought to be of no other conſideration, than "they had inform'd his People in that Declaration, that Gen- "tleman was much more excuſable, that ſaid publickly, un- "reproved, That the happineſs of the Kingdom did not de- "pend on his Majeſty, or upon any of the Royal Branches "of that Root: And the other, who ſaid, His Majeſty was "not worthy to be King of *England*: Language very mon- "ſtrous to be allow'd by either Houſe of Parliament; and of "which, by the help of God, and the Law, he muſt have "ſome Examination. But, he doubted not, all his good Sub- "jects did now plainly diſcern, through the maſque and vi- "zard of their Hypocriſy, what their deſign was; and would "no more look upon the framers and contrivers of that De- "claration, as upon both Houſes of Parliament (whoſe Free- "dom, and juſt Privileges he would always maintain; and in "whoſe behalf, he was as much ſcandaliz'd as for Himſelf) "but as a Faction of Malignant, and Schiſmatical, and Ambi- "tious Perſons; whoſe deſign was, and always had been, to "alter the whole frame of Government, both of Church and "State; and to ſubject both King and People to their own "Lawleſs, Arbitrary Power, and Government: of whoſe Per- "ſons, and of whoſe Deſigns, his Majeſty ſaid, he would, within "a very ſhort time, give his good Subjects and the world a "full, and, he hoped, a ſatisfactory Narration.

"THE Contrivers and Penners of that Declaration (of "whom his Majeſty would be only underſtood to ſpeak, when

"he

"he mention'd any of their undutiful Acts againſt him) ſaid, "that the great Affairs of the Kingdom, and the miſerable "bleeding Condition of *Ireland*, would afford them little "leiſure to ſpend their time in Declarations, Anſwers, and "Replies. Indeed, his Majeſty ſaid, the miſerable, and de-"plorable Condition of both Kingdoms, would require ſome-"what elſe at their hands: But he would gladly know how "they had ſpent their time ſince the receſs (then almoſt "eight Months) but in Declarations, Remonſtrances, and In-"vectives againſt his Majeſty, and his Government; or in "preparing matter for them. Had his Majeſty invited them "to any ſuch expence of time, by beginning Arguments of "that Nature? Their Leiſure, or their Inclination, was not "as they pretended: And what was their Printing and Pub-"liſhing their Petitions to him; their Declarations, and Re-"monſtrances of him; their odious Votes and Reſolutions, "ſometimes of one, ſometimes of both Houſes, againſt his "Majeſty (never in that manner communicated before this "Parliament) but an Appeal to the People? And, in God's "Name, let them judge of the Perſons they had truſted.

"THEIR firſt Quarrel was (as it was always, to let them "into their frank expreſſions of his Majeſty, and his Actions) "againſt the Malignant Party; whom they were pleaſed ſtill "to call, and never to prove to be, his evil Counſellors. But "indeed nothing was more evident by their whole Proceed-"ings, than that by the Malignant Party, they intended all "the Members of both Houſes who agreed not with them in "their Opinions (thence had come their diſtinction of good, "and bad Lords; of Perſons ill affected to the Houſe of Com-"mons; who had been proſcribed, and their Names liſted, "and read in Tumults) and all the Perſons of the Kingdom "who approve not of their Actions. So that, if in truth they "would be ingenuons, and name the Perſons they intended; "Who would be the Men, upon whom the imputation of "Malignity would be caſt, but they who had ſtood ſtoutly, "and immutably for the Religion, the Liberties, the Laws, "for all Publick Intereſt? (ſo long as there was any to be "ſtood for) They, who had always been, and ſtill were, as "zealous Profeſſors, and ſome of them as able, and earneſt "Defenders of the Proteſtant Doctrine againſt the Church of "*Rome*, as any were; who had often, and earneſtly beſought "his Majeſty to conſent, that no different, and unneceſſary "Ceremony might be preſſed upon weak, and tender Con-"ſciences, and that he would agree to a Bill for that purpoſe? "They to whoſe Wiſdom, Courage, and Counſels, the King-"dom ow'd as much as it could to Subjects; and upon whoſe "unblemiſh'd Lives, Envy it ſelf could lay no imputation;

"nor endeavour'd to lay any, until their virtues brought "them to his Majesty's Knowledge, and Favour? His Ma- "jesty said, if the Contrivers of that Declaration would be "faithful to themselves, and consider all those Persons of both "Houses, whom they, in their own Consciences, knew to "dissent from them in the Matter, and Language of that De- "claration, and in all those undutiful Actions of which he "complain'd, they would be found in Honour, Fortune, Wis- "dom, Reputation, and Weight, if not in Number, much su- "perior to them. So much for the evil Counsellors.

"THEN what was the evil Counsel it self? His Majesty's "coming from *London* (where He, and many, whose affecti- "ons to him were very eminent, were in danger every day "to be torn in pieces) to *York*; where his Majesty, and all such "as would put themselves under his Protection, might live, "he thanked God and the Loyalty and Affection of that good "People, very securely: His not submitting himself abso- "lutely (and renouncing his own understanding) to the "Votes, and Resolutions of the Contrivers of that Declara- "tion, when they told his Majesty, that they were above "him; and might, by his own Authority, do with his Majesty "what they pleased: and his not being contented, that all his "good Subjects Lives, and Fortunes, should be disposed of "by their Votes; but by the known Law of the Land. This "was the evil Counsel given, and taken: And would not all "Men believe, there needed much power and skill of the Ma- "lignant Party, to infuse that Counsel into him? And then, "to apply the Argument the Contrivers of that Declaration "made for themselves, was it probable or possible, that such "Men, whom his Majesty had mention'd (who must have so "great a share in the misery) should take such pains in the "procuring thereof; and spend so much time, and run so "many hazards, to make themselves Slaves, and to ruine the "Freedom of this Nation?

"HIS Majesty said (with a clear, and upright Conscience "to God Almighty) whosoever harbour'd the least thought "in his breast, of ruining or violating the Publick Liberty, or "Religion of the Kingdom, or the just Freedom and Privi- "ledge of Parliament, let him be accursed; and he should be "no Counsellor of His, that would not say *Amen*. For the "Contrivers of that Declaration, he had not said any thing, "which might imply any inclination in them to be Slaves. "That which he had charged them with, was invading "the Publick Liberty; and his presumption might be very "strong and vehement, that, though they had no mind to be "Slaves, they were not unwilling to be Tyrants: What is "Tyranny, but to admit no rules to govern by, but their own

"Wills?

"Wills? And they knew the misery of *Athens* was at the "highest, when it suffer'd under the thirty Tyrants.

"His Majesty said, if that Declaration had told him (as "indeed it might, and as in justice it ought to have done) that "the Precedents of any of his Ancestors did fall short, and "much below what had been done by Him, this Parliament, "in point of Grace, and Favour to his People; he should not "otherwise have wonder'd at it, than at such a truth in such a "place. But when to justify their having done more than "ever their Predecessors did, it told his good Subjects (as "most injuriously and insolently it did) that the highest, and "most unwarrantable Precedents of any of his Predecessors "did fall short, and much below what had been done to them "this Parliament by him, he must confess himself amazed, "and not able to understand them; and he must tell those "ungrateful Men (who durst tell their King, that they might, "without want of Modesty and Duty, Depose him) that the "Condition of his Subjects, when, by whatsoever Accidents "and Conjunctures of time, it was at worst under his power, "unto which, by no default of his, they should be ever again "reduced, was, by many degrees, more pleasant and happy, "than that to which their furious pretence of Reformation "had brought them. Neither was his Majesty affraid of the "highest Precedents of other Parliaments, which those Men "boldly (his good Subjects would call it worse) told him "they might, without want of Modesty or Duty, make their "Patterns. If he had no other security against those Prece-"dents, but their Modesty and Duty, he was in a miserable "Condition, as all Persons would be who depended upon "Them.

"That Declaration would not allow his Inference, that "by avowing the Act of Sr *John Hotham*, they did destroy "the Title, and Interest of all his Subjects to their Lands, "and Goods; but confessed, if they were found Guilty of "that Charge, it were indeed a very great Crime. And did "they not, in that Declaration, admit themselves Guilty of "that very Crime? Did they not say, Who doubts but that "a Parliament may dispose of any thing, wherein his Ma-"jesty, or his Subjects had a right, in such a way, as that the "Kingdom might not be in danger thereby? Did they not "then call Themselves this Parliament, and challenge that "Power without his Consent? Did they not extend that "Power to all Cases, where the Necessity or Common Good "of the Kingdom was concern'd? And did they not arro-"gate to themselves alone, the Judgment of that Danger, "that Necessity, and that Common Good of the Kingdom? "What was, if that were not, to unsettle the Security of all

"Men's

" Men's Estates; and to expose them to an Arbitrary Power " of their own? If a Faction should at any time by cunning, " or force, or absence, or accident, prevail over a Major part " of both Houses; and pretend that there were evil Coun- " sellors, a Malignant Party about the King; by whom the " Religion, and Liberty of the Kingdom, were both in dan- " ger (this they might do, they had done it then) they might " take away, be it from the King, or People, whatsoever " they, in their judgments should think fit. This was Law- " ful, they had declar'd it so: Let the World judge, whether " his Majesty had charged them unjustly; and whether they " were not Guilty of the Crime, which themselves confessed " (being proved) was a great One; and how safely his Ma- " jesty might commit the power, those People desired, into " their Hands; who, in all probability, would be no sooner " possessed of it, than they would revive that Tragedy, which " Mr *Hooker* related of the Anabaptists in *Germany*; who, " talking of nothing but Faith, and of the true Fear of God, " and that Riches and Honour were Vanity; at first, upon " the great opinion of their Humility, Zeal, and Devotion, " procured much Reverence, and Estimation with the People; " after, finding how many Persons they had ensnared with " their Hypocrisy, they begun to propose to themselves to re- " form both the Ecclesiastical, and Civil Government of the " State: Then, because possibly they might meet with some op- " position, they secretly enter'd into a League of Association; " and shortly after, finding the power they had gotten with the " credulous People, enrich'd themselves with all kind of " Spoil and Pillage, and justify'd themselves upon our Savi- " ours promise, *The meek shall inherit the Earth*; and declar'd " their Title was the same which the Righteous *Israelites* " had to the Goods of the Wicked *Egyptians*: His Majesty " said, this story was worth the reading at large, and needed " no application.

" But his Majesty might by no means say, that He had " the same Title to his Town of *Hull*, and the Ammunition " there, as any of his Subjects had to their Land, or Money: " That was a principle, that pull'd up the Foundation of the " Liberty, and Property of every Subject. Why? because " the King's Property in his Towns, and in his Goods bought " with the Publick Money, as they conceive his Magazine at " *Hull*, to be, was inconsistent with the Subjects Property in " their Lands, Goods, and Liberty. Did those Men think, " that as they assumed a power of declaring Law (and whatso- " ever contradicted that Declaration broke their Privileges) " so that they had a power of declaring Sense, and Reason, " and imposing Logick, and Syllogisms on the Schools, as well

" as

"as Law upon the People? Did not all Mankind know that "several Men might have several Rights, and Interests in the "self same House and Land, and yet neither destroy the other? "Was not the Interest of the Lord *Paramount* consistent with "that of the Mesne Lord; and His with that of the Tenant; "and yet their Properties or Interests not at all confounded? "And why might not his Majesty then have a full, lawful "Interest, and Property in his Town of *Hull*, and yet his Sub-"jects have a Property in their Houses too? But he could "not sell, or give away at his Pleasure this Town and Fort, as "a private Man might do his Lands or Goods. What then? "Many Men have no Authority to lett, or set their Leases, or "sell their Land, have they therefore no title to them, or In-"terest in them? May they be taken from them, because they "cannot sell them? He said, the purpose of his Journey to "*Hull*, was neither to sell, or give it away.

"But for the Magazine, the Munition there, that he "bought with his own Money, he might surely have sold that, "lent, or given it away. No; he bought it with the Publick "Money, and the proof is, They conceive it so; and, upon "that Conceit, had Voted, that it should be taken from him. "Excellent Justice! Suppose his Majesty had kept that Money "by him, and not Bought Arms with it, would they have "taken it from him upon that Conceit: Nay, might they "not, whereso'ever that Money was (for through how many "hands soever it hath passed, it is the Publick Money still, if "ever it were) seise it, and take it from the owners? But the "Towns, Forts, Magazine, and Kingdom, is entrusted to his "Majesty; and he is a Person trusted. His Majesty said, he "was so; God, and the Law had trusted him; and he had "taken an Oath to discharge that Trust, for the good and "safety of the People. What oaths they had taken, he knew "not, unless those, which, in that violence, they had mani-"festly, maliciously violated. Might any thing be taken from "a Man, because he is trusted with it? Nay, may the Person "himself take away the thing he trusts, when he will, and in "what manner he will? The Law had been otherwise, and, "he believ'd, would be so held, notwithstanding their De-"clarations.

"But that Trust ought to be managed by their Advice, "and the Kingdom had trusted them for that purpose. Im-"possible that the same Trust should be irrecoverable com-"mitted to his Majesty, and his Heirs for ever, and the same "Trust, and a Power above that Trust (for so was the Power "they pretended) be committed to others. Did not the Peo-"ple, that sent them, look upon them as a Body but Tempo-"rary, and Dissolvable at his Majesty's Pleasure? And could

"it

"it be believ'd, that they intended them for his Guardians, "and Controllers in the managing of that Truſt, which God "and the Law had granted to Him, and to his Poſterity for "ever? What the extent of the Commiſſion, and Truſt was, "nothing could better teach them than the Writ, whereby "they are met. His Majeſty ſaid, he call'd them (and with- "out that call, they could not have come together) to be his "Counſellors, not Commanders (for however they frequent- "ly confounded them, the Offices were ſeveral) and Coun- "ſellors, not in all things, but in ſome things, *de quibuſdam* "*arduis*, &c. And they would eaſily find among their Pre- "cedents, that Queen *Eliz.* upon whoſe time all good Men "looked with reverence, committed one *Wentworth*, a Mem- "ber of the Houſe of Commons, to the Tower, ſitting the "Houſe, but for propoſing that they might adviſe the Queen "in a matter She thought they had nothing to do to meddle "in. But his Majeſty is Truſted: And is He the only Per- "ſon Truſted? And might they do what their own inclina- "tion and fury led them to? Were they not Truſted by his "Majeſty, when he firſt ſent for them; and were they not "Truſted by him, when he paſſed them his promiſe, that he "would not Diſſolve them? Could it be preſumed (and pre- "ſumptions go far with them) that he truſted them with a "power to deſtroy himſelf, and to diſſolve his Government, "and Authority? If the People might be allowed to make an "equitable conſtruction of the Laws and Statutes, a Doctrine "avowed by them, would not all his good Subjects ſwear, he "never intended by that Act of Continuance, that they ſhould "do what they have ſince done? Were they not Truſted by "thoſe that ſent them? And were they Truſted to alter the "Government of Church and State; and to make themſelves "perpetual Dictators over the King, and People? Did they "intend, that the Law it ſelf ſhould be ſubject to their Votes; "and that whatſoever they ſaid, or did, ſhould be Lawful, "becauſe they declared it ſo? The Oaths they had taken "who ſent them, and without taking which, themſelves were "not capable of their place in Parliament, made the one in- "capable of giving, and the other of receiving ſuch a Truſt; "unleſs they could perſwade his good Subjects, that his Ma- "jeſty is the only Supreme Head, and Governour in all "Cauſes, and over all Perſons, within his Dominions; and "yet that they had a Power over him to conſtrain him to "manage his Truſt, and Govern his Power, according to "their Diſcretion.

"THE Contrivers of that Declaration told his Majeſty "that they would never allow him (an humble, and dutiful "expreſſion) to be judge of the Law; That belonged only

"to

"to Them; They might, and must, judge and declare. His "Majesty said, they all knew what power the Pope, under "pretence of interpreting Scriptures, and declaring Articles "of Faith, though he decline the making the one or the other, "had usurped over Men's consciences; and that, under co- "lour of having power of ordering all things for the Good of "Men's Souls, he entitles himself to all the Kingdoms of the "world; He would not accuse the Framers of that Declara- "tion (how bold soever they were with his Majesty) that "they inclined to Popery, of which another Maxim was, "that all Men must submit their Reason and Understand- "ing, and the Scripture it self, to that declaring power of "his: Neither would he tell them, though They had told "Him so, that they use the very Language of the Rebels of "*Ireland*: and yet they say those Rebels declare, that what- "soever they do, is for the Good of the King and King- "dom. But his good Subjects would easily put the case to "themselves, whether if the Papists in *Ireland* in truth were, "or by Art or Accident, had made themselves the Major "part of both Houses of Parliament there; and had pre- "tended the Trust in that Declaration from the Kingdom of "*Ireland*; thereupon, had Voted their Religion and Liberty "to be in danger of extirpation from a Malignant Party of "Protestants and Puritans; and therefore, that they would "put themselves into a posture of Defence; that the Forts, "and the Militia of that Kingdom were to be put into the "hands of such Persons, as they could Confide in; that his "Majesty was indeed trusted with the Towns, Forts, Maga- "zines, Treasures, Offices and People of the Kingdom, for "the good, safety, and best advantage thereof; but as his "Trust is for the use of the Kingdom, so it ought to be ma- "naged by the Advice of both Houses of Parliament, whom "the Kingdom had trusted for that purpose, it being their "duty to see it discharged according to the condition, and "true intent thereof, and by all possible means to prevent "the contrary: His Majesty said, let all his good Subjects "consider, if that Rebellion had been plotted with all that "formality, and those circumstances declar'd to be legal, at "least according to the equitable sense of the Law, and to be "for the publick good, and justifiable by necessity, of which "They were the only Judges, whether, though they might "have thought their design to be more Cunning, they would "believe it the more Justifiable.

"NAY let the Framers of that Declaration ask themselves, "if the evil Counsellors, the Malignant Party, the Persons "ill affected, the Popish Lords and their Adherents, should "prove now, or hereafter, to be a Major part of both Houses "(for

"(for it had been declared that a great part of both Houſes "had been ſuch, and ſo might have been the Greater; Nay, "the greater part of the Houſe of Peers was ſtill declar'd to "be ſuch, and his Majeſty had not heard of any of their con-"verſion; and thereupon it had been earneſtly preſſed, that "the Major part of the Lords might joyn with the Major "part of the Houſe of Commons) would his Majeſty be "bound to conſent to all ſuch alterations, as thoſe Men ſhould "propoſe to him, and Reſolve to be for the publick Good: "and ſhould the Liberty, Property, and Security of all his "Subjects, depend on what ſuch Votes ſhould declare to be "Law? Was the Order of the Militia unfit, and unlawful, "whilſt the Major part of the Lords refuſed to joyn in it "(as they had done two or three ſeveral times, and it was "never heard, before this Parliament, that they ſhould be ſo, "and ſo often preſſed after a Diſſent declared) and did it "grow immediately neceſſary for the publick ſafety, and law-"ful by the Law of the Land, aſſoon as ſo many of the diſ-"ſenting Peers was driven away (after their Names had "been required at the Bar, contrary to the freedom, and "foundation of Parliament) that the other Opinion prevailed? "Did the Life, and Liberty of the Subject depend upon ſuch "Accidents of days, and hours, that it was impoſſible for "him to know his Right in either? God forbid.

"BUT now, to juſtify their Invaſion of his Majeſty's an-"cient, unqueſtion'd, undoubted Right, ſettled and eſta-"bliſh'd on his Majeſty and his Poſterity by God himſelf; "confirm'd, and ſtrengthen'd by all poſſible Titles of Com-"pact, Laws, Oaths, perpetual and uncontradicted Cuſtom, "by his People; What had they alledg'd to declare to the "Kingdom, as they ſay, the obligation that lieth upon the "Kings of this Realm to paſs all ſuch Bills, as are offer'd "unto them by both Houſes of Parliament? A thing never "heard of till that day: An Oath (Authority enough for "them to break all theirs) that is, or ought to be, taken by "the Kings of this Realm, which is as well to remedy by "Law ſuch Inconveniences the King may ſuffer, as to keep, "and protect the Laws already in being: And the Form of "this Oath, they ſaid, did appear upon a Record there cited; "and by a Clauſe in the Preamble of a Statute, made in the "25th Year of *Edw.* III.

"HIS Majeſty ſaid, he was not enough acquainted with "Records to know whether that were fully, and ingenuouſly "cited; and when, and how, and why, the ſeveral Clauſes "had been inſerted, or taken out of the Oaths formerly ad-"miniſter'd to the Kings of this Realm: Yet he could not "poſſibly imagine the aſſertion that Declaration made, could

"be

"be deduced from the words, or the matter of that Oath: for "unleſs they had a power of declaring Latin, as well as Law, "ſure, *elegerit*, ſignified *hath* choſen, as well as *will* chooſe; "and that it ſignified ſo there (beſides the Authority of the "perpetual Practice of all ſucceeding times: a better Inter- "preter than their Votes) it was evident, by the reference "it had to cuſtoms, *conſuetudines quas Vulgus elegerit*: And "could that be a Cuſtom, which the People ſhould chooſe af- "ter this Oath taken? And ſhould a King be ſworn to defend "ſuch Cuſtoms? Beſides could it be imagin'd, that he ſhould "be bound by Oath to paſs ſuch Laws (and ſuch a Law was "the Bill they brought to him of the Militia) as ſhould put "the power, wherewith he was truſted, out of Himſelf into "the hands of other Men; and divert and diſable himſelf of "all poſſible power to perform the great buſineſs of the Oath; "which was to protect them? If his Majeſty gave away all "his power, or if it were taken from him, he could not pro- "tect any Man: And what diſcharge would it be for his Ma- "jeſty either before God or Man, when his Good Subjects, "whom God and the Law had committed to his charge, "ſhould be worried and ſpoiled, to ſay that he truſted others "to protect them? That is, to do that Duty for him, which "was eſſentially and inſeparably his own. But that all his "good Subjects might ſee how faithfully theſe Men, who aſ- "ſumed this Truſt from them, deſired to diſcharge their Truſt; "he would be contented to publiſh, for their ſatisfaction (a "matter notorious enough, but what he himſelf never thought "to have been put to publiſh, and of which the Framers of "that Declaration might as well have made uſe, as of a Latin "Record they knew many of his good Subjects could not, and "many of themſelves did not underſtand) the Oath it ſelf he "took at his Coronation, warranted and enjoyn'd to it by "the Cuſtoms, and Directions of his Predeceſſors; and the "Ceremony of theirs, and his taking it; they might find it "in the Records of the Exchequer; This it is:

THE Sermon being done, the Arch-Biſhop goeth to the King, and asks his willingneſs to take the Oath uſually taken by his Predeceſſors;

THE King ſheweth himſelf willing, and goeth to the Altar; the Arch-Biſhop adminiſters theſe Queſtions, and the King Anſwereth them ſeverally:

Epiſcopus. Sr, Will you grant, and keep, and by your Oath confirm to the People of *England*, the Laws and Cuſtoms to them granted by the Kings of *England*, your Lawful and Religious

ligious Predeceſſors: And namely the Laws, Cuſtoms, and Franchiſes granted to the Clergy, by the Glorious King Saint *Edward*, your Predeceſſor, according to the Laws of God, the true Profeſſion of the Goſpel eſtabliſh'd in this Kingdom, and agreeable to the Prerogative of the Kings thereof, and the Ancient Cuſtoms of this Realm?

Rex. I grant, and promiſe to keep them.

Epiſc. Sr, Will you keep Peace, and godly agreement entirely, according to your power, both to God, the Holy Church, the Clergy, and the People?

Rex. I will keep it.

Epiſc. Sr, Will you to your Power, cauſe Law, Juſtice, and Diſcretion, in Mercy and Truth, to be executed in all your Judgments?

Rex. I will.

Epiſc. Sr, Will you grant to hold, and keep the Laws, and rightful Cuſtoms, which the Commonalty of this your Kingdom have; and will you defend, and uphold them to the Honour of God, ſo much as in you lieth?

Rex. I grant, and promiſe ſo to do.

THEN one of the Biſhops reads this Admonition to the King, before the People, with a loud Voice.

OUR Lord and King, we beſeech you, to pardon, and to grant, and to preſerve unto us, and to the Churches committed to our Charge, all Canonical Privileges, and due Law, and Juſtice; and that you would protect, and defend us, as every good King in his Kingdom ought to be Protector, and Defender of the Biſhops, and Churches under their Government.

The King Anſwereth;

WITH a willing and devout Heart I promiſe, and grant my Pardon; and that I will preſerve and maintain to you, and the Churches committed to your Charge, all Canonical Privileges, and due Law, and Juſtice, and that I will be your Protector and Defender, to my Power, by the aſſiſtance of God, as every good King in his Kingdom in right ought to protect, and defend the Biſhops, and the Churches under their Government.

THEN

THEN the King ariſeth, and is led to the Communion Table: where He makes a ſolemn Oath in ſight of all the People, to obſerve the Premiſes; and laying his Hand upon the Book, ſayeth:

The OATH.

THE things which I before promiſed, I ſhall perform, and keep: So help me God, and the Contents of this Book.

HIS Majeſty ſaid, "All the World might judge, whether "ſuch Doctrine, or ſuch Concluſions, as thoſe Men brought, "could follow, or have the leaſt pretence, from that Oath: "For the Preamble of the Statute they cited, that told his "Majeſty, that the King was bound to remedy, by Law, the "miſchiefs and damages which happen to his People: his Ma-"jeſty ſaid, he was ſo; but asked whether the King were "bound by the Preamble of that Statute, to renounce his "own Judgment, his own underſtanding in thoſe miſchiefs, "and of theſe remedies? How far forth he was obliged to "follow the Judgment of his Parliament, that Declaration ſtill "confeſſed to be a queſtion. Without queſtion, he ſaid, none "could take upon them to remedy even miſchiefs, but by "Law, for fear of greater miſchiefs than thoſe they go about "to remedy.

"BUT his Majeſty was bound in juſtice to conſent to their "Propoſals, becauſe there was a Truſt repoſed in his Majeſty "to preſerve the Kingdom, by making new Laws: He ſaid, "he was glad there was ſo; then he was ſure no new Law "could be made without His Conſent; and that the gentle-"neſs of his Anſwer, *Le Roy S'aviſera*, if it be no Denial, it "is no Conſent; and then the matter was not great. They "would yet allow his Majeſty a greater latitude of granting, "or denying, as he ſhould think fit, in publick Acts of Grace, "as Pardons, or the like Grants of Favour: Why did they "ſo? If thoſe Pardons, and publick Acts of Grace were for "the publick Good (which they might Vote them to be) "they would then be abſolutely in their own diſpoſal: But "had they left that power to his Majeſty? They had ſure, at "leaſt, ſhared it with him; How elſe had they got the power "to pardon Serjeant-Major-General *Skippon* (a new Officer "of State, and a Subject his Majeſty had no Authority to ſend "to ſpeak with) and all other Perſons imploy'd by them, and "ſuch as had imploy'd themſelves for them, not only for "what they had done, but for what they ſhould do? If they "had power to declare ſuch Actions to be no Treaſon, which "his Majeſty would not pardon; ſuch Actions to be Treaſon, "which need no pardon; the Latitude they allow'd his Ma-"jeſty

"jesty of granting, or denying of Pardons, was a Jewel they "might still be content to suffer his Majesty to wear in his "Crown, and never think themselves the more in danger.

"ALL this Consider'd, the Contriver of that Message "(since they would afford his Majesty no better Title) whom "they were angry with, did not conceive, the People of this "Land to be so void of Common Sense, as to believe his "Majesty, who had denied no one thing for the ease, and be-"nefit of them, which in Justice or Prudence could be asked, "or in Honour and Conscience could be granted, to have "cast off all care of the Subjects Good; and the Framers, "and Devisers of that Declaration (who had endeavour'd "to render his Majesty odious to his Subjects, and them dis-"loyal to him, by pretending such a Trust in Them) to have "only taken it up: Neither, he was confident, would they "be satisfied, when they felt the misery and the burdens, "which the fury and the malice of those People would bring "upon them, which being told that calamity proceeded from "evil Counsellors, whom no body could name; from Plots "and Conspiracies, which no Man could discover; and from "Fears and Jealousies, which no Man understood: And there-"fore that the consideration of it should be left to the Con-"science, Reason, Affection, and Loyalty of his good Sub-"jects, who do understand the Government of this Kingdom, "his Majesty said, he was well content.

"HIS Majesty ask'd, where the folly and madness of those "people would end, who would have his People believe, that "his absenting himself from *London*, where, with his safety, "he could not stay, and the continuing his Magazine at "*Hull*, proceeded from the secret Plots of the Papists here, "and to advance the design of the Papists in *Ireland*? But it "was no wonder that they, who could believe Sr *John* "*Hotham*'s shutting his Majesty out of *Hull*, to be an Act of "Affection and Loyalty, would believe that the Papists, or "the Turk perswaded him to go thither.

"AND could any sober Man think that Declaration to be "the consent of either, or both Houses of Parliament, un-"awed either by fraud or force; which (after so many Thanks, "and humble Acknowledgments of his gracious favour in "his Message of the twentieth of *January*, so often, and so "unanimously presented to his Majesty from both Houses of "Parliament) now told him, that the Message at first was, "and, as often as it had been since mention'd by him, had "been a breach of Privilege (of which they had not used to "have been so negligent, as in four Months not to have com-"plain'd, if such a breach had been) and that their own Me-"thod of proceeding should not be proposed to them; as if

"his

"his Majesty had only Authority to call them together, not "to tell them what they were to do, not so much as with re- "ference to his own Affairs. What their own Method had "been, and whither it had led Them, and brought the King- "dom, all Men see; what His would have been, if season- "ably and timely applied unto, all Men might judge; his "Majesty would speak no more of it.

"But see now what excellent Instances, they had found "out, to prove an inclination, if not in his Majesty, in some "about him, to Civil War: Their going with his Majesty "to the House of Commons (so often urg'd, and so fully "Answer'd) their attending on him to *Hampton-Court*, and "appearing in a Warlike manner at *Kingston* upon *Thames*; "His going to *Hull*; their drawing their Swords at *York*, de- "manding, who would be for the King? the declaring "Sr *John Hotham* Traytor before the Message sent to the "Parliament; the Propositions to the Gentry in *York-shire*, to "assist his Majesty against Sr *John Hotham*, before he had "receiv'd an Answer from the Parliament: All desperate In- "stances of an inclination to a Civil War. Examine them "again; The manner, and intent of his going to the House "of Commons, he had set forth at large, in his Answer to "their Declaration of the nineteenth of *May*; all Men might "judge of it. Next, did they themselves believe, to what "purpose soever that Rumour had serv'd their turn, that there "was an appearance in Warlike manner at *Kingston* upon "*Thames*? Did they not know, that whensoever his Majesty "had been at *Hampton-Court*, since his first coming to the "Crown, there was never a less appearance, or in a less "Warlike manner, than at the time they meant? He said, "he would say no more, but that His appearance in a War- "like manner at *Kingston* upon *Thames*, and Theirs at *King*- "*ston* upon *Hull*, was very different? What was meant by "the drawing of Swords at *York*, and demanding, who would "be for the King, must be enquired at *London*; for, his Ma- "jesty believed, very few in *York* understood the meaning of "it. For his going to *Hull*, which they would by no means "endure should be called a Visit, whether it were not the "way to prevent, rather than to make a Civil War, was very "obvious: And the declaring him a Traytor in the very Act "of his Treason, would never be thought unreasonable, but "by those who believed him to be a loving, and loyal Sub- "ject; no more than the endeavouring to make the Gentle- "men of that County sensible of that Treason (which they "were in an honourable, and dutiful degree) before he re- "ceiv'd the Answer from both Houses of Parliament: For, "if they had been as his Majesty expected they should have

"been, sensible of that intollerable injury offer'd to him, might "he not have had occasion to have used the affection of these "Gentlemen? Was he sure that Sr *John Hotham*, who had "kept him out without their Order (he spake of a publick "Order) would have let him in, when they had forbidden "him? And if they had not such a sense of him (as the case "falls out to be) had he not more reason to make Proposi-"tions to those Gentlemen, whose readiness and affection he, "or his Posterity, would never forget?

"But this business of *Hull* sticks still with them; and find-"ing his Questions hard, they are pleased to Answer his Ma-"jesty by asking other Questions of Him: No matter for the "exceptions against the Earl of *New-Castle* (which have been "so often urged, as one of the principal grounds of their "Fears and Jealousies; and which drew that Question from "him) They asked his Majesty, why, when he held it neces-"sary, that a Governour should be placed in *Hull*, Sr *John* "*Hotham* should be refused by him, and the Earl of *New-*"*Castle* sent down? His Majesty Answer'd because he had a "better opinion of the Earl of *New-Castle* than of Sr *John* "*Hotham*; and desired to have such a Governour over his "Towns, if he must have any, as should keep them for, and "not against him: And if his going down were in a more "private way than Sr *John Hotham's*, it was because he had "not that Authority to make a noise by levying and billet-"ing of Soldiers, in a peaceable time, upon his good Sub-"jects, as it seem'd Sr *John Hotham* carried down with him. "And the Imputation which is cast by the way upon that "Earl, to make his reputation not so unblemish'd, as he con-"ceiv'd, and the World believes it to be; and which, though "it was not ground enough for Judicial Proceeding (it is "wonder it was not) was yet ground enough for suspicion, "must be the case of every Subject in *England* (and he wish-"ed it went no higher) if every vile Aspersion, contriv'd "by unknown hands, upon unknown or unimaginable "grounds, which is the way practised to bring any Vertuous "and deserving Men into obloquy, should receive the least "credit, or countenance in the world.

"They tell him, Their exception to those Gentlemen, "who deliver'd their Petition to him at *York*, was that they "presumed to take the Style upon them of all the Gentry, "and Inhabitants of that County; whereas, they say, so many "more of as good Quality as themselves, of that County, "were of another opinion; and have since, by their Petition "to his Majesty, disavowed that Act. Their Information "in that point, his Majesty said, was no better than it useth "to be; and they would find, that neither the Number, or

"the

"the Quality of thoſe who have, or will diſavow that Peti-
"tion; was as they imagine; though too many weak Perſons
"were miſled (which they did, and would every day more
"and more underſtand) by the Faction, Skill, and Induſtry
"of that True Malignant Party, of which he did, and had
"reaſon to complain. They ſaid, they had receiv'd no Petition
"of ſo ſtrange a nature: What nature? Contrary to the Votes
"of both Houſes: that is, they had receiv'd no Petition they
"had no mind to receive. But his Majeſty had told them
"again, and all his good Subjects would tell them, that they had
"receiv'd Petitions, with joy and approbation, againſt the
"Votes of both Houſes of their Predeceſſors, confirm'd and
"eſtabliſh'd into Laws by the conſent of his Majeſty, and his
"Anceſtors; and allow'd thoſe Petitions to carry the Style,
"and to ſeem to carry the deſires of Cities, Towns, and Coun-
"ties, when, of either City, Town, or County, very few
"known, or conſiderable Perſons, had been privy to ſuch Pe-
"titions: whereas, in truth, the Petitions deliver'd to his
"Majeſty, againſt which they except, carried not the Style
"of all, but ſome of the Gentry and Inhabitants; and im-
"plied no other conſent, than ſuch as went Viſibly along
"with it.

"But his Majeſty was all this while in a miſtake; the Ma-
"gazine at *Hull* was not taken from him. Who told them
"ſo? They who aſſure them (and whom without breaking
"their Privileges they muſt believe) that Sr *John Hotham*'s
"ſhutting the Gates againſt his Majeſty, and reſiſting his en-
"trance with arm'd Men (though he thought it in defiance
"of him) was indeed in obedience to him, and his Authori-
"ty; and for His Service, and the Service of the Kingdom.
"He was to let none in, but ſuch as came with his Majeſty's
"Authority, ſignified by both Houſes of Parliament: himſelf
"and they had order'd it ſo. And therefore he kept his Ma-
"jeſty out, only, till his Majeſty or he himſelf might ſend for
"their Directions. His Majeſty ſaid, he knew not whether
"the Contrivers of that Declaration meant, that his good
"Subjects ſhould ſo ſoon underſtand, though it was plain
"enough to be underſtood, the meaning of the King's Au-
"thority ſignified by both Houſes of Parliament: But ſure the
"world would now eaſily diſcern in what miſerable caſe he
"had, by this time, been (it is bad enough as it is) if he had
"conſented to their Bill, or to their Ordinance of the Mili-
"tia, and given thoſe Men power to have raiſed all the Arms
"of the Kingdom againſt him, for the Common Good, by
"his own Authority; Would they not as they had kept him
"from *Hull*, by this time have beaten him from *York*, and
"purſued him out of the Kingdom, in his own behalf? Nay

"might not this Munition, which is not taken from him, be "imploy'd againſt him; not againſt his Authority ſignified "by both Houſes of Parliament, but only to kill thoſe ill "Counſellors, the Malignant Party which is about him, and "yet for His Good, for the Publick Good (they would declare "it ſo) and ſo no Treaſon within the Statute of 25. *Edw.* III? "which, by their Interpretation, had left his Majeſty, the "King of *England*, abſolutely leſs provided for, in point of "ſafety, than the meaneſt Subject of the Kingdom: And every "Subject of this Land (for whoſe ſecurity that Law was made, "that they may know their duty, and their danger in break-"ing of it) may be made a Traytor when theſe Men pleaſe "to ſay, he is ſo. But did they think That, upon ſuch an "Interpretation (upon pretence of Authority of Book Caſes "and Precedents, which, without doubt, they would have "cited, if they had been to their purpoſe) out of which no-"thing can reſult, but confuſion to King and People, would "find any credit with his good Subjects? And that ſo excel-"lent a Law, made both for ſecurity of King and People, "ſhall be ſo eluded, by an interpretation no Learned Lawyer "in *England* would at this hour, he believed, ſet under his "hand, notwithſtanding the Authority of that Declaration; "which, he hoped, ſhall bring nothing but Infamy upon the "Contrivers of it?

"Now to their Privileges: Though it be true, they ſay, "that their Privileges do not extend to Treaſon, Felony, or "breach of the Peace, ſo as to exempt the Members from all "manner of Proceſs, and Tryal; yet it doth privilege them in "the way, or method of their Tryal: the Cauſe muſt be firſt "brought before Them, and Their conſent asked, before you "can proceed. Why then their Privileges extend as far in "theſe Caſes, as in any that are moſt unqueſtion'd; for no "Privilege whatſoever, exempts them from all manner of "Proceſs and Tryal, if you firſt acquaint the Houſe with it, "and they give you leave to proceed by thoſe Proceſſes, or to "that Tryal: But, by this Rule, if a Member of either Houſe "commit a Murder, you muſt by no means meddle with "him, till you have acquainted that Houſe of which he is a "Member, and received their direction for your Proceeding, "aſſuring your ſelf, he will not ſtir from that place where "you left, him, till you return with their conſent; ſhould it "be otherwiſe, it would be in the power of every Man, under "the pretence of Murder, to take one after another, and as "many as he pleaſeth; and ſo, conſequently, bring a Parlia-"ment to what he pleaſeth, when he pleaſeth. If a Member "of either Houſe ſhall take a Purſe at *York* (he may as pro-"bably take a Purſe from a Subject, as Arms againſt the "King)

"King) you must ride to *London*, to know what to do, "and He may ride with you, and take a new Purse every "Stage, and must not be apprehended, or declared a Felon, "till you have asked that House of which he is a Member; "should it be otherwise, it might be in every Man's power "to accuse as many Members as he would of taking Purses; "and so bring a Parliament, and so all Parliaments to nothing. "Would these Men be believed? And yet they make no "doubt but every one who hath taken the Protestation, would "defend this Doctrine with his Life and Fortune. Would "not his Subjects believe, that they had imposed a pretty "Protestation upon them; and that they had a very good end "in the doing of it, if it obligeth them to such hazards, to "such undertakings? Must they forget or neglect his Ma"jesty's Person, Honour, and Estate, which, by that Prote"station, they are bound to defend; and, in some degree, "do understand? And must they only venture their Lives "and Fortunes to justify Privileges they know not, or ever "heard of before? Or are they bound by that Protestation "to believe, that the Framers of that Declaration have power "to extend their own Privileges, as far as they think fit; and "to contract his Majesty's Rights, as much as they please; "and that they are bound to believe them in either, and to "venture their Lives and Fortunes in that Quarrel?

"FROM declaring how mean a Person his Majesty is, and "how much the Kingdom hath been mistaken in the under"standing of the Statute of the 25. *Edw.* III. concerning Trea"son, and that all Men need not fear Levying War against him, "so they have their Order to Warrant them; They pro"ceed, in the Spirit of declaring, to certify his Subjects in "the mistakings, which, near one hundred and fifty years, "have been receiv'd concerning the Statute of the 2 *Hen.* VII. "*ch.* 1. (a Statute all good Subjects will read with Comfort) "and tell them, that the serving of the King for the time be"ing, cannot be meant of *Perkin Warbeck*, or of any that "should call himself King; but such a One as is allow'd, and "received by the Parliament in the behalf of the Kingdom: "And was not his Majesty so allow'd? However, through a "dark mist of words, and urging their old Privileges (which, "he hoped, he had sufficiently Answer'd, and will be every "day more confuted by the Actions of his good Subjects) "they conclude, that those that shall guide themselves by "the judgment of Parliament, which they say is their own, "ought, whatsoever happen, to be secure, and free from all "Account and Penalties, upon the ground and equity of that "very Statute: How far their own Chancellors may help "them in that equity, his Majesty knew not; but by the

"help of God, and that good Law, He would allow no such "equity: So then, there is the Doctrine of that Declaration; "and these are the Positions of the Contrivers of it.

1. THAT they have an absolute Power of declaring the Law; and that whatsoever they declare to be so, ought not to be question'd by his Majesty, or any Subject: So that all Right and Safety of Him and his People, must depend upon their Pleasure.

2. THAT no Precedents can be limits to bound their Proceedings: So they may do what they please.

3. THAT the Parliament may dispose of any thing, wherein the King or Subject hath a Right, for the Publick Good; that they, without the King, are this Parliament, and judge of this Publick Good; and that his Majesty's Consent is not necessary: So the Life and Liberty of the Subject, and all the good Laws made for the security of them, may be disposed of, and repeal'd by the Major part of both Houses at any time present, and by any ways and means procured so to be; and his Majesty had no Power to protect them.

4. THAT no Member of either House ought to be troubled or meddled with for Treason, Felony, or any other Crime, without the Cause first brought before Them, that they may judge of the Fact, and their leave obtain'd to proceed.

5. THAT the Soveraign Power resides in both Houses of Parliament; and that his Majesty had no Negative Voice: So then his Majesty Himself must be subject to their Commands.

6. THAT the Levying of Forces against the Personal Commands of the King, though accompanied with his Presence, is not Levying War against the King; but the Levying War against his Laws and Authority (which they have Power to declare and signify) though not against his Person, is Levying War against the King: And that Treason cannot be committed against his Person, otherwise than as he is entrusted with the Kingdom, and discharging that Trust; and that They have a Power to judge, whether he discharges that Trust or no.

7. THAT if they should make the highest Precedents of other Parliaments their Patterns, there would be no cause to complain of want of Modesty or Duty in them; that is, they may Depose his Majesty when they will, and are not to be blamed for so doing.

"AND now (as if the meer publishing of their Resolu- "tions, would not only prevail with the People, but, in the "instant, destroy all Spirit, and Courage in his Majesty to "preserve

"preſerve his own Right, and Honour) they have ſince taken "the boldneſs to aſſault him with certain Propoſitions: which "they call the moſt neceſſary effectual means for the remo- "ving thoſe Jealouſies, and Differences between his Majeſty "and his People, that is, that he would be content to de- "veſt himſelf of all his Regal rights, and dignities; be con- "tent with the Title of a King, and ſuffer Them, according "to their diſcretion to govern Him, and the Kingdom, and "to diſpoſe of his Children. How ſuitable and agreeable this "Doctrine, and theſe Demands were to the Affection of his "loving Subjects, under whoſe Truſt theſe Men pretend to "ſay, and do theſe Monſtrous Things; and to deſign not "only the ruine of his Perſon, but of Monarchy it ſelf (which, "he might juſtly ſay, was more than ever was offer'd in any "of his Predeceſſors times; for though the Perſon of the "King had been ſometimes unjuſtly Depoſed, yet the Regal "Power was never, before this time, ſtruck at) he believes "his good Subjects would find ſome way to let Them, and "the World know: And, from this time, ſuch who had been "miſled, by their ill Counſels, to have any hand in the exe- "cution of the Militia, would ſee to what Ends their Service "was deſign'd; and therefore if they ſhould preſume here- "after to meddle in it, they muſt expect, that he would im- "mediately proceed againſt them as actual raiſers of Sedition, "and as Enemies to his Soveraign Power.

"His Majeſty ſaid, he had done: And ſhould now expect "the worſt Actions theſe Men had Power to commit againſt "him; worſe words they could not give him: and he doubted "not, but the Major part of both Houſes of Parliament, "when they might come together with their Honour and "Safety (as well thoſe who were ſurpriſed at the paſſing of "it, and underſtood not the malice in it, and the confuſion "that muſt grow by it, if believ'd; as thoſe who were ab- "ſent, or involv'd) would ſo far reſent the indignity offer'd "to his Majeſty, the diſhonour to Themſelves, and the miſ- "chief to the whole Kingdom, by that Declaration; that "they would ſpeedily make the foul Contrivers of it inſtances "of their exemplary Juſtice; and brand Them, and their "Doctrine, with the marks of their perpetual Scorn and In- "dignation.

Whilst this Anſwer, and Declaration of his Majeſty's was preparing and publiſhing, which was done with all imaginable haſte, and to which they made no Reply till many Months after the War was begun, they proceeded in all their Counſels towards the leſſening his Majeſty both in Reputation, and Power; and towards the improving their own Intereſts: For the firſt, upon the advantage of their

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former Vote, of the King's Intention to Levy War against his Parliament, in the end of *May* they published Orders, "That "the Sheriffs of the adjacent Counties should hinder, and "make stay of all Arms and Ammunition carrying towards "*York*, until they had given notice thereof unto the Lords "and Commons; and should have receiv'd their further Di- "rection; and that they should prevent the coming together "of any Soldiers, Horse or Foot, by any Warrant of his Ma- "jesty, without their Advice and Consent: Which they did, not upon any opinion that there would be any Arms or Ammunition carrying to his Majesty, they having entirely possessed themselves of all his Stores; or that they indeed believ'd, there was any Commission or Warrant to raise Soldiers, which they well knew there was not; but that, by this means, their Agents in the Country (which many Sheriffs and Justices of Peace were; and most Constables, and Inferior Officers) might, upon this Pretence, hinder the Resorting to his Majesty, which they did with that Industry, that few Persons, who, foreseeing the design of those Orders, did not decline the great Roads, and made not pretences of Travelling to some other place, and Travell'd in any Equipage towards his Majesty, escaped without being stay'd by such watches: And most that were so stay'd, finding it to no purpose to attend the Resolution, or Justice of the Houses, who always commended the Vigilance of their Ministers, and did not expect they should be bound up by the Letter of their Orders, made shift to escape with their own Persons, and were contented to leave their Horses behind them; They who attended to be repair'd by the Justice of the Houses, finding so many delays, and those delays to be so chargable, and themselves exposed to so many Questions, and such an Inquisition, that they thought their Liberty a great prize, whatever they left behind them.

For the improving their Interest, and Dependence, though they had as much of the Affection of the City as could reasonably be expected; and by their exercise of the Militia, had united them in a firm Bond, the communication of Guilt; yet they well understood their true strength consisted in the Rabble of the People; for the greatest part of the substantial, and wealthy Citizens, being not of their Party, and except some Expedient were found out, whereby they might be involv'd, and concern'd in their Prosperity or Ruine, they thought themselves not so much in truth possessed of that City, as they seem'd to be. They had heard it said, that *Edward* the Fourth of *England* recover'd the City of *London*, and by that the Kingdom, by the vast Debts that he owed there; Men looking upon the helping of Him to the Crown, as the helping

Them-

Themſelves to their Money, which was elſe deſperate. Upon this ground, they had taken the firſt opportunity of borrowing great Sums of them, in the beginning of this Parliament; when the Richeſt and beſt Affected Men, upon a preſumption that hereby the *Scots* Army would ſuddainly march into their own Country, and the *Engliſh* as ſoon be Disbanded, chearfully furniſhed that Money. Upon this ground they ſtill forbore to repay thoſe Sums, diſpoſing what was brought in upon the Bills of Subſidy, and other Publick Bills, to other purpoſes. And now, to make themſelves more ſure of them, they borrow'd another Sum of 100000*l.* of them, upon pretence of the great Exigences of *Ireland*; which was their two-edged Sword, to lead them into the Liberty of laying what imputations, they thought moſt convenient for their purpoſes, upon the King and Queen; and to draw what Money they thought fit from the City; and ſerv'd them now to another important end, to raiſe Soldiers; but that Service it ſelf, in order to ſuppreſſing the Rebellion there, was not, in any degree, advanced. Having by theſe means, thus provided for their main Ends, they made the People believe, they were preparing Propoſitions to ſend to the King; and the People were yet ſo Innocent as to believe, that they would never ſend Propoſitions that were not reaſonable: For though the unuſual Acts which had been done by the King, as the going to the Houſe of Commons, and demanding the Members there, had put them into as unuſual apprehenſions; and thoſe, by the warmth and heat of Declarations and Anſwers, had drawn from them by degrees, another kind of Language, than had before been uſed; yet moſt Men believ'd, when thoſe Paſſions were diſgeſted, and that any Propoſitions ſhould be made by them (which the King had long call'd for and invited) that they could not but be ſuch, as would open a door for that Affection, Confidence, Duty, and Truſt, upon which the Peace of the Kingdom might be reaſonably founded. And Propoſitions they did ſend to the King, in the beginning of *June*; which were preſented to his Majeſty, with great Solemnity, by their Committee reſident there; which, in this place, are very neceſſary to be inſerted in the very terms in which they were preſented, as followeth:

The humble Petition, and Advice of both Houſes of Parliament, with Nineteen Propoſitions and the Concluſion, ſent unto his Majeſty the ſecond of June 1642. *The Nineteen Propoſitions ſent to the King by both Houſes*

"YOUR Majeſty's moſt humble and faithful Subjects, the "Lords and Commons in Parliament, having nothing in their "thoughts and deſires, more precious and of higher eſteem, June 2d. 1642.

"next

"next to the Honour and immediate Service of God, than "the juſt and faithful performance of their Duty to your "Majeſty and this Kingdom: And being very ſenſible of "the great diſtractions and diſtempers, and of the Immi- "nent dangers and calamities, which thoſe diſtractions and "diſtempers are like to bring upon your Majeſty, and your "Subjects (all which have proceeded from the ſubtle In- "formations, miſchievous Practices, and evil Counſels of "Men diſaffected to God's true Religion; your Majeſty's "Honour and Safety; and the Publick Peace, and Proſpe- "rity of your People) after a ſerious Obſervation of the "Cauſes of thoſe miſchiefs, do in all humility and ſincerity, "preſent to your Majeſty their moſt dutiful Petition and "Advice: That, out of your Princely Wiſdom for the "eſtabliſhing your own Honour and Safety, and gracious "tenderneſs of the Welfare and Security of your Subjects "and Dominions, you will be pleaſed to grant, and accept "theſe their humble Deſires and Propoſitions, as the moſt "neceſſary and effectual means, through God's bleſſing, of "removing thoſe Jealouſies and Differences, which have "unhappily fallen out betwixt you and your People, and "procuring both your Majeſty and them, a conſtant courſe "of Honour, Peace, and Happineſs

The Propoſitions.

1. "THAT the Lords and others of your Majeſty's Privy "Council, and ſuch great Officers and Miniſters of State, "either at Home or beyond the Seas, may be put from "your Privy Council, and from thoſe Offices and Imploy- "ments, excepting ſuch as ſhall be approved by both Houſes "of Parliament: And that the Perſons, put into the Places "and Imployments of thoſe that are removed, may be ap- "prov'd of by both Houſes of Parliament: and that Privy "Counſellors ſhall take an Oath, for the due execution of "their Places, in ſuch Form as ſhall be agreed upon by "both Houſes of Parliament.
2. "THAT the great Affairs of the Kingdom may not be "concluded, or tranſacted by the Advice of private Men, "or by any unknown, or unſworn Counſellors; but that "ſuch matters as concern the Publick, and are proper for "the High Court of Parliament, which is your Majeſty's "great and ſupreme Council, may be debated, reſolv'd, and "tranſacted only in Parliament, and not elſewhere: And "ſuch as ſhall preſume to do any thing to the contrary, "ſhall be reſerv'd to the Cenſure and Judgment of Par- "liament: And ſuch other Matters of State, as are proper "for

"for your Majesty's Privy Council, shall be Debated and "concluded by such of the Nobility, and Others, as shall, "from time to time, be chosen for that Place, by appro-"bation of both Houses of Parliament: and that no pub-"lick Act concerning the Affairs of the Kingdom, which "are proper for your Privy Council, may be esteem'd of "any Validity, as proceeding from the Royal Authority, "unless it be done by the Advice and Consent of the Ma-"jor part of the Council, attested under their Hands: And "that your Council may be limited to a certain Number, "not exceeding twenty five, nor under fifteen; and if any "Counsellor's place happen to be Void in the interval of "Parliament, it shall not be supplied without the Assent "of the Major part of the Council; which choice, shall "be confirm'd at the next sitting of Parliament, or else to "be void.

3. "THAT the Lord High Steward of *England*, Lord High "Constable, Lord Chancellor, or Lord Keeper of the Great "Seal, Lord Treasurer, Lord Privy Seal, Earl Marshal, "Lord Admiral, Warden of the Cinque Ports, chief Go-"vernour of *Ireland*, Chancellor of the Exchequer, Master "of the Wards, Secretaries of State, two Chief Justices, "and Chief Baron, may always be chosen with the ap-"probation of both Houses of Parliament; and in the in-"tervals of Parliaments, by the Assent of the Major part "of the Council, in such manner as is before expressed in "the Choice of Counsellors.

4. "THAT He, or They, unto whom the Government and "Education of the King's Children shall be committed, "shall be approved of by both Houses of Parliament; and "in the intervals of Parliament, By the Assent of the Ma-"jor part of the Council, in such manner as is before ex-"pressed in the choice of Counsellors; And that all such Ser-"vants as are now about them, against whom both Houses "shall have any just Exceptions, shall be removed.

5. "THAT no Marriage shall be concluded, or treated, for "any of the King's Children, with any Forreign Prince, "or other Person whatsoever, Abroad or at Home, without "the Consent of Parliament, under the Penalty of a Præ-"munire, unto such as shall conclude, or treat of any Mar-"riage as aforesaid: And that the said Penalty shall not be "pardon'd, or dispensed with, but by the Consent of both "Houses of Parliament.

6. "THAT the Laws in force against Jesuits, Priests, and "Popish Recusants, be strictly put in Execution without "any Toleration, or Dispensation to the contrary: And "that some more effectual course may be enacted, by Au-

'thority

"thority of Parliament, to disable them from making any "disturbance in the State; or eluding the Laws by Trusts, "or otherwise.

7. "THAT the Votes of Popish Lords in the House of Peers "may be taken away, so long as they continue Papists: "And that your Majesty will consent to such a Bill, as "shall be drawn, for the Education of the Children of Pa- "pists, by Protestants, in the Protestant Religion.

8. "THAT your Majesty will be pleased to consent, that "such a Reformation be made of the Church Government, "and Liturgy, as both Houses of Parliament shall advise; "wherein they intend to have consultations with Divines, "as is expressed in their Declaration to that purpose: And "that your Majesty will contribute your best assistance to "them, for the raising of a sufficient maintenance for "Preaching Ministers through the Kingdom: And that "your Majesty will be pleased to give your consent to Laws "for the taking away of Innovations, and Superstition, and "of Pluralities, and against scandalous Ministers.

9. "THAT your Majesty will be pleased to rest satisfied with "that course, that the Lords and Commons, have appointed, "for ordering of the Militia, until the same shall be farther "settled by a Bill: and that your Majesty will recall your "Declarations, and Proclamations against the Ordinance "made by the Lords and Commons concerning it.

10. "THAT such Members of either House of Parliament, "as have, during this present Parliament, been put out of "any Place and Office, may either be restor'd to that Place "and Office, or otherwise have satisfaction for the same, "upon the Petition of that House, whereof He, or They "are Members.

11. "THAT all Privy Counsellors and Judges may take an "Oath, the Form whereof to be agreed on and settled by "Act of Parliament, for the maintaining of the Petition of "Right, and of certain Statutes made by this Parliament, "which shall be mention'd by both Houses of Parliament; "and that an enquiry of all Breaches, and Violations of "those Laws, may be given in charge by the Justices of "the King's Bench every Term, and by the Judges of As- "size in their Circuits, and Justices of the Peace at the Ses- "sions, to be presented and punished according to Law.

12. "THAT all the Judges, and all the Officers, placed by "approbation of both Houses of Parliament, may hold their "places *quamdiu bene se gesserint*.

13. "THAT the Justice of Parliament may pass upon all De- "linquents, whether they be within the Kingdom, or fled "out of it: And that all Persons cited by either House of "Par-

"Parliament, may appear, and abide the Cenſure of Par-
"liament.

14. "THAT the General Pardon, offer'd by your Majeſty,
"may be granted with ſuch Exceptions, as ſhall be adviſed
"by both Houſes of Parliament.

15. "THAT the Forts, and Caſtles of this Kingdom, may
"be put under the Command and Cuſtody of ſuch Perſons,
"as your Majeſty ſhall appoint with the approbation of your
"Parliament; and, in the intervals of Parliament, with ap-
"probation of the Major part of the Council, in ſuch man-
"ner as is before expreſſed in the choice of Counſellors.

16. "THAT the extraordinary Guards, and Military Forces
"now attending your Majeſty, may be remov'd and diſ-
"charged; and that, for the future, you will raiſe no ſuch
"Guards or extraordinary Forces, but, according to the
"Law, in caſe of Actual Rebellion, or Invaſion.

17. "THAT your Majeſty will be pleaſed to enter into a more
"ſtrict Alliance with the States of the *United Provinces*, and
"other neighbour Princes and States of the Proteſtant Re-
"ligion, for the defence and maintenance thereof againſt all
"Deſigns and Attempts of the Pope, and his Adherents, to
"ſubvert and ſuppreſs it; whereby your Majeſty will obtain
"great acceſs of ſtrength and reputation, and your Subjects
"be much encouraged and enabled, in a Parliamentary way,
"for your Aid, and Aſſiſtance, in reſtoring your Royal Si-
"ſter, and her Princely iſſue to thoſe Dignities and Domi-
"nions, which belong unto them; and relieving the other
"diſtreſſed Proteſtant Princes, who have ſuffer'd in the ſame
"Cauſe.

18. "THAT your Majeſty will be pleaſed by Act of Parlia-
"ment, to clear the Lord *Kimbolton*, and the five Members
"of the Houſe of Commons, in ſuch manner that future
"Parliaments may be ſecured from the Conſequence of that
"evil Precedent.

19. "THAT your Majeſty will be graciouſly pleaſed to paſs
"a Bill for reſtraining Peers made hereafter, from Sitting
"or Voting in Parliament, unleſs they be admitted there-
"unto with the Conſent of both Houſes of Parliament.

"AND theſe our humble Deſires being granted by your Ma-
"jeſty, We ſhall forthwith apply our ſelves to regulate
"your preſent Revenue, in ſuch ſort as may be for your
"beſt advantage; and likewiſe to ſettle ſuch an ordinary,
"and conſtant increaſe of it, as ſhall be ſufficient to ſupport
"your Royal Dignity in Honour, and Plenty, beyond the
"proportion of any former Grants of the Subjects of this
"Kingdom to your Majeſties Royal Predeceſſor: We ſhall
"like-

"likewise put the Town of *Hull* into such hands, as your "Majesty shall appoint with the consent and approbation "of Parliament; and deliver up a just Account of all the "Magazine; and cheerfully imploy the uttermost of Our "power and endeavours, in the real expression, and per- "formance of our most Dutiful and Loyal Affections, to the "preserving and maintaining the Royal Honour, Greatness, "and Safety of your Majesty, and your Posterity.

THE same day that these Articles of Deposition were pass'd the Houses, that his Majesty might see how unable he was like to be to contend with them, they declar'd by an Order the same day printed and carefully dispersed, "That they had "receiv'd Information (and indeed their Informations were wonderful particular, from all parts beyond Sea, of whatso- ever was agitated on the King's behalf; as well as from his Court, of whatsoever was design'd, or almost but thought of to himself: Besides they could pretend to receive Informa- tion of whatsoever would any way conduce to their purpose, true or false) "That the Jewels of the Crown (which, they "said, by the Law of the Land ought not to be aliened) were "either pawn'd or sold in *Amsterdam*, or some other parts "beyond Seas; and thereby great Sums of Money provided "to be return'd to *York*, or to some of his Majesty's Servants "or Agents, for his Majesty's use: And because, they said, it "was more than probable that great provision of Moneys, "in such an extraordinary way, was to maintain the intend- "ed War against the Parliament; and thereby to bring the "whole Kingdom into utter ruine, and combustion: It was

Order of the two Houses against pawning the Jewels of the Crown.

"therefore declar'd, by the Lords and Commons in Parlia- "ment, that whosoever had been, or should be, an Actor in "the selling or pawning of any Jewels of the Crown; or had, "or should pay, lend, send, or bring any Money in Specie "into this Kingdom for, or upon, any of those Jewels; or "whosoever had, or should accept of any Bill from beyond "the Seas for the payment of any Sum of Money, for or "upon any of those Jewels, and should pay any Sum accord- "ing to such Bill, after notice of that Order, without acquaint- "ing that House with the Receipt of that Bill, before he ac- "cept the same; or if he had already accepted any such Bill, "then with the Acceptance thereof, before the payment of "the Money, every such Person should be held and accounted "a Promoter of that intended War, an Enemy to the State, "and ought to give satisfaction for the publick damage out of "his own Estate.

UPON this confident Assumption, "That it was not in the "King's power to dispose the Jewels of the Crown; that what- "soever

"soever Jewels were offer'd to be pawn'd or sold, by any of "the King's Ministers beyond the Seas, were the Jewels of "the Crown, and no other; and that all Money, return'd "from thence for his Majesty's Service, was Money so raised "and procured; they so much terrified Men of all Conditions, that the Queen, having, by the Sale of some of her own Jewels, and by her other Dexterity, procur'd some Money for the King's supply, could not in a long time find any means to transmit it. However, this made no impression upon the King's Resolution; and though it might have some influence upon Merchantly Men, yet it stirr'd up most Generous minds to an indignation on the King's behalf; and was new Evidence, if there had wanted any, what kind of Greatness he was to expect from complying with such immodest, and extravagant Proposers.

THE King was once Resolv'd to have return'd no Answer to them upon those Propositions; but to let the People alone to judge of the unreasonableness of them, and of the Indignity offer'd to him in the delivery of them; and that was the reason of the short mention he made of them in the close of his Declaration to theirs of the 26th of *May*: But he was afterwards perswaded to vouchsafe a further notice of them, there being some particulars Popular enough, and others, that, at the first View, seem'd not altogether so derogatory to him, and so inconvenient to the People, as in truth they were; and that therefore it was necessary to let the People know, that whatsoever was reasonable, and might be beneficial to the Kingdom, had been, for the most part, before offer'd by his Majesty; and should all be readily granted by him: and so to unfold the rest to them, that they might discern their own Welfare, and Security, to be as much endanger'd by those Demands, as the King's Rights, Honour, and Dignity. So that, in a short time after he receiv'd them, he sent to the two Houses, and publish'd to the Kingdom, his Answer to those Nineteen Propositions, whereof it will be sufficient to repeat some few Particulars.

"IN which he first remember'd them of their method, they "had observ'd in their Proceedings towards him: That they "had first totally suppressed the known Laws of the Land, "and denied His power to be necessary to the making New, "reducing the whole to their own Declarations, and single "Votes: That they had possessed themselves of his Maga- "zines, Forts, and Militia: That they had so aw'd his Sub- "jects with Pursuivants, long cheargeable Attendance; heavy "Censures; illegal Imprisonments; that few of them durst "offer to present their tenderness of his Majesty's Sufferings, "their own just Grievances, and their sense of those Viola- "tions

The Substance of his Majesty's Answer to the Nineteen Propositions.

"tions of the Law (the Birth-right of every Subject of the "Kingdom) though in an humble Petition to both Houses: "and if any did, it was stifled in the Birth; call'd Sedition; "and burn'd by the Common Hangman: That they had re- "strain'd the attendance of his Ordinary, and Necessary "Houshold-Servants: and seised upon those small Sums of "Money, which his Credit had provided to buy him Bread; "with Injunctions that no Money should be suffer'd to be "convey'd or return'd to his Majesty at *York*, or to any of "his Peers, or Servants with him, so that, in effect, they "had block'd him up in that County: That they had fill'd "the Ears of his People with Fears and Jealousies (though "taken up upon trust) Tales of Skippers, Salt-Fleets, and "such like: by which Alarms they might prepare them to "receive such Impressions, as might best advance their De- "sign, when it should be ripe. And now, it seem'd, they "thought his Majesty sufficiently prepar'd for those bitter "Pills; that he was in a handsome posture to receive those "humble Desires; which, probably, were intended to make "way for a Superfœtation of a yet higher Nature; for they "did not tell him, This was All. He said, he must observe, "that those Contrivers (the better to advance their true ends) "in those Propositions, disguised, as much as they could, "their Intents with a mixture of some things really to be ap- "prov'd by every honest Man; others, Specious and Popu- "lar; and some which were already granted by his Majesty: "All which were cunningly twisted, and mixed with those "other things of their main design, of Ambition and private "interest, in hope that, at the first View, every Eye might "not so clearly discern them in their proper Colours.

"His Majesty said, if the 1, 2, 3, 4, 5, 9, 10, 15, 16, 19, De- "mands had been Writ, and Printed, in a Tongue unknown "to his Majesty and his People, it might have been possible, "that He, and They might have charitably believ'd the Pro- "positions to be such, as might have been in order to the "Ends pretended in the Petition; to wit, the Establishment "of his Honour and Safety; the Welfare and Security of his "Subjects and Dominions; and the removing those Jealousies "and Differences, which were said to have unhappily fallen "betwixt his Majesty and his People; and procuring both "his Majesty, and Them, a constant course of Honour, "Peace and Happiness; but being read and understood by "all, he could not but assure Himself, that that Profession, "joyn'd to those Propositions, would rather appear a Mocke- "ry, and a Scorn; the Demands being such, that he were "unworthy the Trust reposed in him by the Law, and of his "Descent from so many Great and Famous Ancestors, if he

"could

"could be brought to abandon that Power, which alone could "enable him to perform what he was Sworn to, in protect- "ing his People, and the Laws; and so assume others into it, "as to divest Himself of it, although not only his present "Condition were more Necessitous than it was (which it "could hardly be) and he were both Vanquished, and a Pri- "soner, and in a worse Condition than ever the most unfor- "tunate of his Predecessors had been reduced to, by the most "Criminal of their Subjects; and though the Bait laid to draw "him to it, and to keep his Subjects from Indignation at the "mention of it, the Promises of a plentiful and unparallel'd "Revenue, were reduced from Generals (which signify no- "thing) to clear and certain Particulars; since such a bargain "would have but too great a resemblance of that of *Esau*'s, if "he would part with such flowers of his Crown, as were worth "all the rest of the Garland, and had been transmitted to him "from so many Ancestors, and had been found so useful and "necessary for the Welfare and Security of his Subjects, for any "present Necessity, or for any low and sordid Considerations "of Wealth and Gain. And therefore, all Men knowing "that those Accommodations are most easily made, and most "exactly observed; that are grounded upon reasonable and "equal conditions, his Majesty had great cause to believe "that the Contrivers of those Propositions, had no Intention "of settling any firm Accommodation; but to increase those "Jealousies, and widen that Division, which not by his Ma- "jesty's fault, was now unhappily fal'n between Him and "both Houses.

"It was asked; that all Lords and others of his Privy "Council, and such great Officers and Ministers of State, "either at home or beyond the Seas (for, he said, care was "taken to leave out no Person, or Place, that his dishonour "might be sure not to be bounded within this Kingdom) "should be put from his Privy Council, and from those Of- "fices and Employments, unless they should be approved by "both Houses of Parliament, how faithful soever his Majesty "had found them to Him, and to the Publick; and how far "soever they had been from offending against any Law, the "only Rule they had, or any Others ought to have, to walk "by. His Majesty therefore to that part of that Demand re- "turn'd this Answer, That he was willing to grant, that they "should take a larger Oath, than they themselves desired in "there eleventh Demand, for maintaining not of any Part, "but the Whole Law. And, he said, he had, and did assure, "them, that he would be careful to make Election of such "Persons in those Places of Trust, as had given good Testi- "monies of their Abilities and Integrities, and against whom

"there could be no just cause of Exception, whereon reason-
"ably to ground a Diffidence: That if he had, or should be
"mistaken in his Election, he had, and did assure them, that
"there was no Man so near to him, in Place or Affection,
"whom he would not leave to the Justice of the Law, if they
"should bring a particular Charge, and sufficient Proof against
"him: That he had given them a Triennial Parliament (the
"best pledge of the Effects of such a Promise on His part,
"and the best Security for the performance of their Duty on
"Theirs) the apprehension of whose Justice, would, in all
"probability, make Them wary how they provoked it, and
"his Majesty wary, how he chose such as by the discovery
"of their faults, might in any degree seem to discredit his
"Election; but that without any shadow of a fault objected,
"only perhaps because they follow their Consciences, and pre-
"ferved the established Laws, and agree not in such Votes, or
"assent not to such Bills, as some Persons, who had then too
"great an Influence even upon both Houses, judged, or seem'd
"to judge, to be for the publick good, and as were agreeable
"to that new Utopia of Religion and Government, into
"which they endeavour'd to transform this Kingdom (for, he
"said, he remember'd what Names, and for what Reasons,
"they left out in the Bill offer'd him concerning the Militia,
"which they had themselves recommended in the Ordinance)
"he would never consent to the displacing of any, whom
"for their former Merits from, and Affection to his Majesty
"and the Publick, he had entrusted; since, he conceived, that
"to do so, would take away both from the Affection of his
"Servants, and care of his Service, and the Honour of his
"Justice: And, he said, he the more wonder'd, that it should
"be asked by them, since it appears by the twelfth Demand,
"that Themselves counted it reasonable, after the present
"Turn was serv'd, that the Judges and Officers who were
"then placed, might hold their Places, *quam diu se bene gesse-*
"*rint*: And he was Resolv'd to be as careful of those whom
"He had chosen, as they were of those They would choose;
"and to remove none, till they appear'd to him to have
"otherwise behaved themselves, or should be evicted, by Le-
"gal Proceedings, to have done so.

"BUT, his Majesty said, that Demand, as unreasonable as
"it was, was but one Link of a great Chain, and but the first
"Round of that Ladder, by which his Majesty's Just, Anci-
"ent, Regal Power, was endeavour'd to be fetch'd down to
"the ground; for it appeared plainly that it was not with
"the Persons now chosen, but with his Majesty's Choosing,
"that they were displeased. For they demanded, that the Per-
"sons put into the Places and Imployments of those, who

"should

"ſhould be removed, might be approv'd by both Houſes; "which was ſo far from being leſs than the power of Nomi- "nation, that of two things, of which he would never grant "either, he would ſooner be content, that They ſhould No- "minate, and he Approve, than They Approve, and his Ma- "jeſty Nominate; the meer Nomination being ſo far from "being any thing, that if he could do no more, he would "never take the pains to do that; when he ſhould only ha- "zard whom he eſteem'd to the Scorn of a Refuſal, if they "happen'd not to be agreeable not only to the judgment, "but to the Paſſion, Intereſt, or Humour of the preſent Ma- "jor part of either Houſe: Not to ſpeak of the great Facti- "ons, Animoſities, and Diviſions, which that Power would "introduce in both Houſes, and in the ſeveral Counties for "the choice of Perſons to be ſent to that Place, where that "Power was; and between the Perſons that were ſo choſen. "Neither was that ſtrange Portion preſcribed to him only for "once, for the Cure of a preſent preſſing, deſperate Diſeaſe; "but for a Diet to Him, and his Poſterity. It was demand- "ed, that his Counſellors, all Chief Officers both of Law "and State, Commanders of Forts and Caſtles, and all Peers "hereafter made, be Approved of, that is Choſen, by Them "from time to time: And rather than it ſhould ever be left "to the Crown (to whom it only did, and ſhould belong) if "any place fall void in the intermiſſion of Parliament, the "Major part of the approved Council was to approve them. "Neither was it only demanded that his Majeſty ſhould quit "the Power, and Right, his Predeceſſors had had of appoint- "ing Perſons in thoſe Places; but for Counſellors, he was "to be reſtrain'd, as well in the Number as in the Perſons; "and a Power muſt be annexed to thoſe Places, which their "Predeceſſors had not. And indeed, if that Power were "paſſed to them, he ſaid, it would not be fit He ſhould be "truſted to chooſe thoſe who were to be truſted as much as "Himſelf.

"He told them, To grant their Demands in the manner "they propoſed them, that all matters that concern'd the Pub- "lick, *&c.* ſhould be reſolv'd, and tranſacted only in Parlia- "ment, and ſuch other matters of State *&c.* by the Privy "Counſel ſo choſen, was in effect at once to depoſe Himſelf, "and his Poſterity. He ſaid, many expreſſions in their De- "mands, had a greater Latitude of ſignification, than they "ſeem'd to have; and that it concern'd his Majeſty therefore "the more, that they ſhould ſpeak out; that both He, and "his People, might either know the bottom of their De- "mands, or know them to be bottomleſs. Nothing more "concern'd the Publick, and was indeed more proper for the

"High Court of Parliament, than the making of Laws; "which not only ought there to be tranſacted, but could be "tranſacted no where elſe. But then they muſt admit his "Majeſty to be a part of the Parliament; they muſt not (as "the ſenſe was of that part of that Demand, if it had any) "deny the freedom of his Anſwer, when He had as much "right to reject what he thought unreaſonable, as They had "to propoſe what they thought convenient, or neceſſary. "Nor was it poſſible his Anſwers, either to Bills or any "other Propoſitions, ſhould be wholly free, if he might "not uſe the liberty, that every one of Them, and every "Subject took to receive Advice (without their danger who "ſhould give it) from any Perſon known or unknown, ſworn "or unſworn, in thoſe matters in which the manage of his "Vote is truſted, by the Law, to his own Judgment and "Conſcience; which how beſt to inform was, and ever "ſhould be, left likewiſe to Him. He ſaid, he would always "with due Conſideration, weigh the Advices both of his "Great, and Privy Council; yet he ſhould likewiſe look on "their Advices, as Advices, not as Commands, or Impoſi- "tions; upon them, as his Counſellors, not as his Tutors, "or Guardians; and upon Himſelf, as their King, not as their "Pupil, or Ward: For, he ſaid, whatſoever of Regality was, "by the modeſty of Interpretation, left in his Majeſty, in the "firſt part of the ſecond Demand, as to the Parliament, was "taken from him, in the ſecond part of the ſame, and placed "in that new fangled kind of Counſellors, whoſe power was "ſuch, and ſo expreſſed by it, that in all Publick Acts con- "cerning the Affairs of the Kingdom, which are proper for "the Privy Council (for whoſe Advice all Publick Acts are "ſometimes proper, though never neceſſary) they were de- "ſired to be admitted joynt Patentees with his Majeſty in "the Regality. And it was not plainly expreſſed, whether they "meant his Majeſty ſo much as a ſingle Vote in thoſe Affairs; "but it was plain they meant him no more, at moſt, than a "ſingle Vote in them; and no more power, than every one "of the reſt of his fellow Counſellors.

And ſo after a ſharp diſcourſe, and explanation of the unreaſonableneſs of the ſeveral Demands, or the greateſt part of them, and the confuſion that, by conſenting thereunto, would redound to the Subject in general, as well as the diſhonour to his Majeſty (which may be read at large by itſelf) He told them, "To all thoſe unreaſonable Demands, his "Anſwer was, *nolumus Leges Angliæ mutari*: But renewed "his Promiſe to them, for a very punctual and ſtrict obſer- "vation of the known Laws eſtabliſhed; to which purpoſe he "was willing an Oath ſhould be framed by them, and taken

"by

"by all his Privy Counſellors. And for any Alteration in "the Government of the Church, that a National Synod "ſhould be call'd, to propoſe what ſhould be found neceſſary "or convenient: And that for the Advancement of the Pro-"teſtant Religion againſt the Papiſts, they had not propoſed "ſo much to his Majeſty, as he was willing to grant, or as "he had himſelf offer'd before. He concluded with conju-"ring Them, and all Men, to reſt ſatisfy'd with the truth of "his Majeſty's Profeſſions, and the reality of his Intentions; "and not to ask ſuch things as denied themſelves: That they "would declare againſt Tumults, and puniſh the Authors: "That they would allow his Majeſty his Property in his "Towns, Arms, and Goods; and his ſhare in the Legiſla-"tive Power; which would be counted in him not only "breach of Privilege, but Tyranny, and Subverſion of Parlia-"ments, to deny to them: And when they ſhould have given "him ſatisfaction upon thoſe Perſons, who had taken away "the One, and recall'd thoſe Declarations (particularly that "of the 26th of *May*; and thoſe in the point of the Militia, "his juſt Rights wherein he would no more part with, than "with his Crown, leſt he enabled others by them to take "that from him) which would take away the Other; and "declined the beginnings of a War againſt his Majeſty, under "pretence of His intention of making one againſt Them; "as he had never oppoſed the Firſt part of the thirteenth "Demand, ſo he would be ready to Concur with them in the "Latter; and being then confident that the Credit of thoſe "Men, who deſire a general Combuſtion, would be ſo weak-"en'd with them, that they would not be able to do this "Kingdom any more hurt, he would be willing to grant his "General Pardon, with ſuch Exceptions as ſhould be thought "fit; and ſhould receive much more joy in the hope of a full, "and conſtant happineſs of his People in the true Religion, "and under the protection of the Law, by a bleſſed Union "between his Majeſty and his Parliament, than in any ſuch "increaſe of his own Revenue, how much ſoever beyond "former Grants, as (when his Subjects were wealthieſt) his "Parliament could have ſettled upon his Majeſty.

THOUGH the King now liv'd at *York* in a much more Princely Condition, than he could have hoped to have done near *London*; and had ſo great a Train and Reſort of the Nobility and Gentry, that there was not left a fifth part of the Houſe of Peers at *Weſtminſter*, and truly I do not believe, that there was near a Moiety of the Houſe of Commons who continued there; yet his Majeſty made no other uſe, for the preſent, of their preſence with Him, and of their abſence from the two Houſes, than to have ſo many the more, and the more cre-

dible Witneſſes of his Counſels and Carriage; and to undeceive the People by his clear Anſwers to all the Scandals and Reproaches which were laid on him, and by his ample profeſſions and proteſtations of his ſincere Zeal to Religion, and Juſtice; and to make it appear to them, how far the Quality and the Number of thoſe who thought, or ſeem'd to think otherwiſe, was, from what they might imagine it to be. And it cannot be denied, but the People were every day viſibly reformed in their underſtandings, from the Superſtitious Reverence they had paid the two Houſes; and grew ſenſible of their Duty to the King, and of thoſe Invaſions which were offer'd to his Regal Dignity.

On the other ſide, the two Houſes ſlacken'd not their pace a jot, proceeded with great and unuſual ſharpneſs againſt thoſe Members who were gone to the King; Proclaiming ſome of them by Name "To be Enemies to the Kingdom, and, by a Formal Judgment, Sentencing Nine Peers together, "To be "incapable of ſitting again in Parliament, whilſt this ſhould "continue: The Houſe of Commons having carried up an Impeachment of Miſdemeanours againſt them (which was as illegal in point of Juſtice, and as extravagant in point of Privilege, as any thing they could do) "for being abſent and "refuſing to attend, upon a Summons from the Houſe of "Peers: And upon their own Members they impoſed a fine of 100l apiece, on every one who was gone to the King, and upon thoſe, who being in other places, they thought were well affected to his Service: Yet, leſt they ſhould upon this proceeding return again, to diſturb, and croſs their Counſels, they provided, "That no Man upon whom that Sentence fell, "ſhould ſit again in the Houſe (though he paid his fine) till "he had been examin'd by a Committee, and ſo given the "Houſe ſatisfaction in the cauſe of his abſence. And, by thoſe means, they thought both to remove the Scandal, that ſo many Members were abſent, and to prevent any inconvenience too, that might befal them by their return. For they well knew, if the Members of both Houſes were obliged to a conſtant and ſtrict Attendance, it would not be poſſible that they could compaſs their miſchievous Deſigns.

Then they proſecuted their great Buſineſs of the Militia, not only near *London*, where they were in no danger of oppoſition, but in thoſe Northern Counties near his Majeſty, as *Leiceſter-ſhire*, *Cheſhire*, *Lincoln-ſhire*, where whoſoever refuſed to give Obedience to them, or publiſhed the King's Proclamations againſt their proceedings (for the King had yet practiced no Expedient to prevent the growth of that miſchief, but the publiſhing his Proclamation againſt it) were ſent for as Delinquents; and not ſatisfied herewith, that they might

might be as well able to Pay an Army, as they found they ſhould be to raiſe one, on the tenth of *June* (for the time will be very neceſſary to be remember'd, that it may be the better ſtated, Who took up the Defenſive Arms) they publiſhed Propoſitions, "For the bringing in of Money or Plate "to maintain Horſe, Horſe-men, and Arms, for the Preſervation of the Publick Peace, and for the defence of the "King and both Houſes of Parliament; the Reaſons and "Grounds whereof they declar'd to be the King's Intention "to make war againſt his Parliament; That, under pretence "of a Guard for his Perſon, he had actually begun to Levy "Forces, both of Horſe and Foot; and ſent out Summons "throughout the County of *York*, for the calling together of "greater Numbers; and ſome ill affected Perſons, in other "parts, had been employ'd to raiſe Troops, under the co-"lour of his Majeſty's Service; making large offers of reward "and preferment to ſuch as would come in: That his Ma-"jeſty did, with a high and forcible hand, protect, and keep "away Delinquents, not permitting them to make their ap-"pearance to Anſwer ſuch Affronts and Injuries, as had been "by them offer'd to the Parliament; and thoſe Meſſengers, "which had been ſent from the Houſes for them, had been "abuſed, beaten, and impriſon'd, ſo as the Orders of Parlia-"ment, the higheſt Court of Juſtice in the Realm, were not "obey'd; and the Authority of it was altogether ſcorn'd, and "vilified; and ſuch Perſons as ſtood well affected to it, and "declar'd themſelves ſenſible of thoſe Publick Calamities, and "of the violations of the Privileges of Parliament, and Com-"mon Liberty of the Subject, were baffled, and injur'd by "ſeveral ſorts of Malignant Men, who were about the King; "ſome whereof, under the name of Cavaliers, without ha-"ving reſpect to the Laws of the Land, or any fear either of "God or Man, were ready to commit all manner of Out-"rage and Violence; which muſt needs tend to the diſſo-"lution of the Government; the diſtruction of their Reli-"gion, Laws, Liberties, Properties; all which would be ex-"poſed to the Malice and Violence of ſuch deſperate Per-"ſons, as muſt be imploy'd in ſo horrid and unnatural an Act, "as the overthrowing a Parliament by Force; which was "the ſupport, and preſervation of them. Thoſe particulars, "they ſaid, being duly conſider'd by the Lords and Com-"mons, and how great an obligation lay upon them, in Ho-"nour, Conſcience, and Duty, according to the high Truſt "repoſed in them to uſe all poſſible means, in ſuch caſes, to "prevent ſo great and irrecoverable Evils, they had thought "fit to publiſh their ſenſe, and apprehenſion of that Immi-"nent danger; thereby to excite all well affected Perſons, to

Propoſitions, and Orders of both Houſes for bringing in Money and Plate for maintaining Horſe, &c. June 10. 1642.

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"tribute their beſt Aſſiſtance, according to their ſolemn Vow "and Proteſtation, to the Preparations neceſſary for the op- "poſing, and ſuppreſſing of the Trayterous Attempts of thoſe "Wicked, and Malignant Counſellors, who ſought to engage "the King in ſo dangerous and deſtructive an enterpriſe, and "the whole Kingdom in a Civil War; and deſtroy the Privi- "leges and Being of Parliaments.

"THIS recourſe to the good affections of thoſe, that ten- "der their Religion and juſt Liberties, and the enjoyment of "the bleſſed fruits of this preſent Parliament, which were "almoſt ready to be reaped, and were now as ready to be "ruin'd by thoſe wicked hands, being, they ſaid, the only "remedy left them under God; and without which they "were no longer able to preſerve Themſelves, or Thoſe by "whom they were entruſted: Therefore, they declar'd that "whoſoever would bring in any proportion of ready Money "or Plate, or would underwrite to furniſh and maintain any "number of Horſe, Horſe-men, and Arms, for the preſer- "vation of the Publick Peace, and for the defence of the "King, and both Houſes of Parliament, from Force and Vio- "lence, and to uphold the Power and Privileges of Parliament "according to his Proteſtation; it ſhould be held a good and "acceptable Service to the Common-wealth, and a Teſti- "mony of his good affection to the Proteſtant Religion, the "Laws, Liberties, and Peace of the Kingdom; and to the "Parliament, and Privileges thereof. And they further de- "clared, that whoſoever brought in Money or Plate, or fur- "niſh'd and maintain'd Horſe, Horſe-men, and Arms, upon "theſe Propoſitions, and to thoſe purpoſes, ſhould be repaid "their Money with intereſt of eight *per Cent*; for which they "did engage the Publick Faith, and they appointed the Guild- "Hall in *London* for the Place whither this Money, or Plate, "ſhould be brought; and four Aldermen of *London* to be "their Treaſurers for the receiving the ſame; and likewiſe "other Confiding Men to receive, and prize ſuch Horſes and "Arms, as ſhould be brought in for their Service. And "laſtly, for their better encouragement, the Members of both "Houſes appointed a Solemn Day to ſet down their own Sub- "ſcriptions; which they performed liberally.

MOST of thoſe who abhorr'd their impious Deſigns, not thinking it lawful for them to be preſent at ſuch Conſulta- tions, withdrew before the day came, or abſented themſelves then. But many had the Courage to be preſent, and ſtoutly to refuſe what they thought they could not honeſtly conſent to. Sr *Henry Killigrew*, who was a remarkable Enemy to all their devices, being call'd upon, told them, "If there were "occaſion, he would provide a good Horſe, and a good "Sword;

"Sword; and made no queſtion but he ſhould find a good "Cauſe. But, within very few days, both He, and all thoſe who were taken notice of for refuſing, found it ſafeſt for them to leave the Town; there being very viſibly great Animoſity againſt them both within, and without the Walls. And a Gentleman of good Quality aſſured me afterwards, that, within few days after he had refuſed to Subſcribe, he was privately adviſed by one of the other Faction, who yet retained ſome kindneſs to him, "To leave the Town, leſt his Brains "were beaten out by the Boys in the Streets. And many of thoſe who too impotently deſired not to be look'd upon as Refractory Perſons, and had pleaſed themſelves with Subſcribing more Articulately for the defence of the King's Perſon, found it afterwards neceſſary to ſupply whatſoever they had Subſcribed, to be employ'd that way, as was declar'd to be, for the defence of the King's Perſon, whatſoever their intention was at firſt, or their opinion after. And it is hardly credible, what a vaſt proportion of Plate was brought in to their Treaſurers within ten days; there being hardly Men enough to receive it, or Room to lay it in; and the Throng being ſo great of the Bringers, that, in two days attendance, many could not be diſcharged of their Seditious Offerings. And, the very next day after theſe Propoſitions, they further Order'd, "That there ſhould be a ſtrict ſearch and examination made, "by the Juſtices of Peace, Mayors, Bayliffs, and Conſtables, "near all the Northern Roads, for the ſeiſing all Horſes for "Service in the Wars, or great Saddles, that ſhould be carried, "towards the North parts of *England*, without the Privity or "Direction of one or both Houſes of Parliament; which was a great improvement of their former Order, which extended only to Arms and Ammunition; though, the truth is, the Dexterity and Spirit of their Miniſters, who knew their Meaning, made the former almoſt as inconvenient and dangerous to Paſſengers, as the latter.

It was by many impatiently wonder'd at then, and, no doubt, will be more cenſured hereafter, that notwithſtanding all theſe Invaſions, and Breaches upon the Regal Power, and all theſe vaſt Preparations to deſtroy him, the King, hitherto, put not himſelf into a poſture of Safety; or provided for the reſiſtance of that Power, which threaten'd him; and which, he could not but know, intended whatſoever it hath ſince done; And though they had not yet form'd an Army, and choſen a General, yet, he well knew, they had Materials abundantly ready for the Firſt, and particular, digeſted Reſolutions, in the Second; which they could reduce to publick Acts whenſoever they pleaſed. It is very true, he did know all this, and the unſpeakable hazards he run, in not preparing

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againſt it. But the hazards, which preſented themſelves unto him on the other ſide, were not leſs Prodigious: He had a very great appearance of the Nobility; not only of thoſe, who had from the beginning walked, and govern'd themſelves by the Rules the Law preſcribed, and, in that reſpect, were unblameable to King and People: But of others who had paſſionately and peeviſhly (to ſay no worſe) concurr'd in all the moſt violent Votes and Actions, which had been done from the beginning: For beſides the Lord *Spencer* (who had been choſen their Lieutenant of *Northampton-ſhire*, but was recover'd to a right underſtanding, of which he was very capable, by his Uncle the Earl of *Southampton*) the Lord *Paget* likewiſe, who had contributed all his Faculties to Their Service, and to the prejudice of the King's from before the beginning of the Parliament; had been one of their Teizers to broach thoſe bold high Overtures, Soberer Men were not, at firſt, willing to be ſeen in; and had been, as a Man moſt worthy to be Confided in, choſen Lord Lieutenant of one of the moſt Confiding Counties, the County of *Buckingham* (where he had, with great Solemnity and Pomp, executed their Ordinance, in defyance of the King's Proclamation) and had Subſcribed a greater number of Horſes for their Service, upon their Propoſitions, than any other of the ſame Quality; convinced in his Conſcience, fled from them, and beſought the King's Pardon: And, for the better manifeſting the tenderneſs of his Compunction, and the horrour he had of his former Guilt, he frankly diſcover'd whatſoever he had known of their Counſels; and aggravated all the ill they had done, with declaring it to be done to worſe and more horrid Ends, than many good Men believ'd to be poſſible for them to propoſe to themſelves.

NOTWITHSTANDING, this Glorious Convention was rather an Ornament to his Court, than any great Advantage to his Counſels; and the uſe of them more to diſcredit the ſmall remainder at *Weſtminſter*, and that the People might ſee the Number and Quality of the Diſſenters, than that they contriv'd any thing to the active improvement of his Affairs; every Man thinking it high merit in him, that he abſented himſelf from the Company and Place, where all the miſchief was done; and that the keeping himſelf Negatively innocent, was as much as he ow'd his King and Country. I am willing to impute it to the drowſy and unactive Genius of the Kingdom (contracted by long eaſe and quiet) which ſo much abhorr'd the thoughts of a Civil War, that it thought a lively and vigorous Preparation againſt it, was to invite it; and there were very few of all the great Lords, who did attend upon the King, who did not declare, "That the Parlia-

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"ment durſt not in truth (whatever ſhews they made in hope "to ſhake his Majeſty's conſtancy) make a War; and if they "ſhould attempt it, the People would unanimouſly riſe for "the King, who would be moſt ſafe by not intending his "own ſafety. Whereas, if he raiſed Forces, the Parliament "would procure themſelves to be believ'd, that it was to "overthrow Religion, and ſuppreſs the Laws, and Liberties "of the People. They who were of another opinion, and could have ſpoken more reaſon, held it not ſafe to expreſs themſelves but in the King's own Ear; there being in the great Council of the Peers, who, for ſtate, were frequently Aſſembled, and by whom in truth the King then deſir'd to have tranſacted all things of Moment, ſome who were not good Counſel-Keepers, and others who were look'd upon, and believ'd to be Spies upon the reſt. But that which made the thought of raiſing Forces (whatever Arguments there were for it) abſolutely unreaſonable, was, that the King had no poſſibility to procure either Arms, or Munition, but from *Holland*; from whence he daily expected ſupply: And till that arriv'd, let his Provocations and Sufferings be what they could be, he was to ſubmit and bear it patiently.

In the mean time, for a ground of further proceeding upon occaſion, the King deſir'd the Peers in Council, to ſet down in writing the Affronts, and Violence, which had been offer'd to them at *London*, by which their Preſence in the great Council of the Kingdom was render'd both unſafe, and diſhonourable; the which they the more willingly condeſcended to, for that the *London* Pamphlets already aſperſed them, as Deſerters of the Parliament, and Betrayers of the Liberty of their Country: An Inſtrument being drawn up, and agreed upon between them, in which they ſet down "The "Tumults, and the Violence offer'd to particular Perſons in "thoſe Tumults; the Threats and Menaces of the Rabble, "at the doors of the Houſe, when they had a mind any Ex-"orbitant thing ſhould paſs; the Breach and Violation of the "old Orders, and Rules of Parliament, whilſt Matters were "in Debate, and the reſuming Matters again in a thin Houſe; "and reverſing, waving, or contradicting Reſolutions made "in a full Houſe: And, laſtly, Mr *Hollis*'s coming to the Bar, "and demanding the Names of thoſe Lords who refuſed to "conſent to the Militia, when the multitude without, me-"naced and Threaten'd all thoſe Diſſenters: after which, they ſaid "They conceived, they could not be preſent there, with "Honour, Freedom, or Safety; and therefore forbore to be "any more preſent; and ſo all thoſe Votes, Concluſions, and "Declarations had paſſed, which had begot thoſe Diſtractions "throughout the Kingdom. And this they delivered to

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the King, signed under their Hands. And yet (which is a sufficient Instance how unendewed Men were with that Spirit and Courage, which was requisite) the next day after the delivery, many Lords came to his Majesty, and besought him "That he would by no means publish that Paper, but keep it in "his own hands; some of them saying, "That, if it were "published, they would disavow it: so that material and weighty Evidence, which Then might have been of Soveraign use to the King, was render'd utterly ineffectual to his Service; his Majesty finding it necessary to engage his Princely word to them, "Never to make it publick without Their con-"sent; which he performed most punctually; and so, to this day, it was never divulged.

To make some little amends for this want of mettle (for it proceeded from nothing else, They being most shy in subscribing, and most passionate against publishing, who were of unquestionable Affection to his Majesty, and Integrity to his Cause) and that the World might see, there was a Combination among good Men, to assist his Majesty in the defence of the Law, as well as there was against both by Others: Upon the King's declaring himself fully in Council, where all the Peers were present, "That, as He would not require "or exact any obedience from them, but what should be "warranted by the known Law of the Land; so he did ex-"pect that They would not yield to any Commands not le-"gally grounded, or imposed by any other: That he would "defend every one of them, and all such as should refuse any "such Commands, whether they proceeded from Votes, and "Orders of both Houses, or any other way, from all dan-"gers and hazards whatsoever. That his Majesty would de-"fend the true Protestant Religion, established by the Law "of the Land; the Lawful Liberties of the Subjects of *Eng-"land*; and just Privileges of all the Three Estates of Parlia-"ment; and would require no further Obedience from them, "than as accordingly he should perform the same: and his "Majesty did further declare, that he would not, as was false-"ly pretended, engage them, or any of them, in any War "gainst the Parliament; except it were for his necessary de-"fence and safety, against such as did insolently Invade or "Attempt against his Majesty, or such as should adhere to "his Majesty: All the Peers engaged themselves, "Not to "obey any Orders, or Commands whatsoever, not warranted "by the known Laws of the Land; and to defend his Ma-"jesty's Person, Crown, and Dignity, together with his just "and Legal Prerogative, against all Persons and Power what-"soever: That they would defend the true Protestant Reli-"gion, established by the Law of the Land; the Lawful Li-

His Majesty's Declaration to the Lords attending him at York, June 13. 1642.

The promise of the Lords and others thereupon.

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"berties of the Subject of *England*; and just Privileges of "his Majesty, and both his Houses of Parliament: And lastly, "They engaged themselves not to obey any Rule, Order, or "Ordinance whatsoever, concerning any Militia, that had "not the Royal Assent:

THIS being Subscribed by their Lordships, was, with their "consent immediately Printed, and carefully divulged over the Kingdom, bearing date at *York* the thirteenth of *June* 1642. with the Names of the Subscribers. Two days after, his Majesty in Council taking notice of the Rumours spread, and Informations given, which might induce many to believe that his Majesty intended to make War against his Parliament, "Professed before God, and said, he declared to "all the World, that he always had, and did abhor all such "Designs, and desired all his Nobility and Council, who were "there upon the place, to declare, whether they had not "been Witnesses of his frequent and earnest Declarations and "Professions to that purpose: Whether they saw any Colour "of Preparations or Counsels, that might reasonably beget a "belief of any such Design; and whether they were not "fully perswaded, that his Majesty had no such Intention: "But that all his Endeavours, according to his many Profes- "sions, tended to the firm and constant Settlement of the true "Protestant Religion; the just Privileges of Parliament; the "Liberty of the Subject; the Law, Peace, and Prosperity of "this Kingdom:

His Majesty's Declaration and profession of June 15. 1642. *disavowing any Intentions of raising War.*

WHEREUPON all the Lords, and Counsellors present, unanimously agreed, and did sign a Paper in these words:

"WE whose Names are under written, in Obedience to "his Majesty's desire, and out of the Duty which we owe "to his Majesty's Honour, and to Truth, being here upon "the place, and Witnesses of his Majesty's frequent, and "earnest Declarations and Professions of his abhorring all "Designs of making War upon his Parliament; and not see- "ing any colour of Preparations or Counsels, that might "reasonably beget the belief of any such Designs, do profess "before God, and testify to all the World, that we are fully "perswaded that his Majesty hath no such intention: But "that all his Endeavours tend to the firm and constant settle- "ment of the true Protestant Religion; the just Privileges of "Parliament; the Liberty of the Subject; the Law, Peace, "and Prosperity of this Kingdom. Which Testimony, and Declaration was Subscribed by

The Declaration, and Profession of the Lords and Counsellors to the same effect.

Lord

Lord *Littleton* Lord Keeper.	Duke of *Richmond.*	Earl of *Lindsey.*
Marquis of *Hertford.*	Earl of *Cumberland.*	Earl of *Bath.*
Earl of *Southampton.*	Earl of *Salisbury.*	Earl of *Dorset.*
Earl of *Devonshire.*	Earl of *Cambridge.*	Earl of *Northampton.*
Earl of *Clare.*	Earl of *Westmoreland.*	Earl of *Bristol.*
Earl of *Monmouth.*	Earl *Rivers.*	Earl of *Berkshire.*
Earl of *Carnarvan.*	Earl of *Newport.*	Earl of *Dover.*
Lord *Willoughby* of *Eresby.*	Lord *Grey* of *Ruthin.*	Lord *Mowbray*, and *Martravers.*
Lord *Newark.*	Lord *Paulet*	Lord *Howard* of *Charleton.*
Lord *Rich.*	Lord *Savil.*	Lord *Lovelace.*
Lord *Coventry.*	Lord *Dunsmore.*	Lord *Mohun.*
Lord *Capel.*		Lord *Seymour.*
Lord *Falkland.*	Sr *P. Wich* Controller.	Secretary *Nicholas.*
	Sr. *J. Colepepper* Chan. Exch.	Lord Chief Justice *Banks.*

THIS Testimony of the Lords and Counsellors was immediately printed, and published, together with a Declaration of his Majesty's; in which he said,

His Majesty's Declaration thereupon.

"THAT though he had, in the last seven Months, met "with so many several encounters of strange and unusual Declarations, under the Name of both his Houses of Parliament, that he should not be amazed at any new Prodigy of "that kind; and though their last of the 26th of *May* gave "him a fair warning, that the Contrivers of it having spent "all their stock of bitter and reproachful Language upon him, "he was now to expect they should break out into some bold, "and disloyal Actions against him: And, having by that Declaration, as far as in them lay, devested his Majesty of that "Præeminence and Authority, which God, the Law, the "Custom and Consent of this Nation had placed in him, and "assumed it to Themselves, that they should likewise, with "expedition, put forth the fruits of that Supreme Power, for "the violating and suppressing the other which they despised "(an effect of which resolution, he said, their Declaration "against his Proclamation concerning the pretended Ordinance for the Militia, and their punishing of the Proclaimers "appeared to be) yet, he must confess, in their last Attempt "(he said, he spoke of the last he knew; they might probably since, or at that present, have outdone That too) they "had outdone what his Majesty had conceiv'd was their present intention. And whosoever heard of Propositions, and "Orders, for the bringing in of Money or Plate to maintain "Horse, and Horsemen, and Arms, for the preservation of "the Publick Peace, or for the Defence of the King and both "Houses of Parliament (such was their Declaration, or what "they please to call it, of the tenth of *June*) would surely "believe the Peace of the Kingdom to be extremely shaken;

"and

"and at leaſt, the King himſelf to be conſulted with, and "privy to thoſe Propoſitions. But he ſaid, he hoped, that "when his good Subjects ſhould find, that that goodly Pre- "tence of defending the King, was but a ſpecious bait to ſe- "duce weak, and inconſiderate Men into the higheſt Acts of "diſobedience and diſloyalty againſt his Majeſty, and of vio- "lence and deſtruction upon the Laws and Conſtitutions of "the Kingdom, they would no longer be captivated by an "implicit reverence to the Name of both Houſes of Parlia- "ment; but would carefully examine, and conſider what Num- "ber of Perſons were preſent; and What perſons were pre- "valent in thoſe Conſultations; and how the Debates were "probably managed, from whence ſuch horrid and monſtrous "Concluſions did reſult; and would at leaſt weigh the Repu- "tation, Wiſdom, and Affection of thoſe, who were noto- "riouſly known out of the very horror of their Proceedings "to have withdrawn themſelves; or, by their skill and vio- "lence to be driven from Them, and their Councils.

"His Majeſty ſaid, whilſt their Fears and Jealouſies did "ariſe, or were infuſed into the People, from diſcourſes of the "Rebels in *Ireland*, of Skippers at *Roterdam*, of Forces from "*Denmark*, *France*, or *Spain* (how improbable and ridicu- "lous ſoever that bundle of Information appear'd to all wiſe, "and knowing Men) it was no wonder if the eaſineſs to de- "ceive, and the willingneſs to be deceiv'd, did prevail over "many of his weak Subjects to believe, that the dangers, "which they did not ſee, might proceed from cauſes which "they did not underſtand: But for them to declare to all the "world, that his Majeſty intended to make War againſt his "Parliament (whilſt he ſat ſtill complaining to God Almighty "of the injury offer'd to Him, and to the very Being of Par- "liaments) and that he had already begun actually to levy "Forces both of Horſe and Foot (whilſt he had only, in a "legal way, provided a ſmaller Guard for the ſecurity of his "own Perſon ſo near a Rebellion at *Hull*, than They had, "without Lawful Authority, above theſe eight Months, upon "imaginary and impoſſible dangers) to impoſe upon his Peo- "ples Senſe, as well as their Underſtanding, by telling them "his Majeſty was doing that which they ſaw he was not do- "ing, and intending that, they all knew, as much as Inten- "tions could be known, he was not intending, was a boldneſs, "agreeable to no power but the Omnipotency of thoſe Votes, "whoſe abſolute Supremacy had almoſt brought confuſion "upon the King and People; and againſt which no know- "ledge in matter of Fact, or Conſent and Authority in mat- "ter of Law, they would endure ſhould be oppoſed.

"His Majeſty ſaid, he had, upon all occaſions, with all

" poſſible expreſſions, profeſſed his firm and unſhaken reſolu-
" tions for Peace. And, he ſaid, he did again, in the pre-
" ſence of Almighty God, his Maker and Redeemer, aſſure
" the world, that he had no more thought of Making War
" againſt his Parliament, than againſt his own Children: That
" he would obſerve, and maintain the Acts aſſented to by him
" this Parliament without violation; of which, That for the
" frequent Aſſembling of Parliaments was one: And that he
" had not, nor would have, any thought of uſing any Force;
" unleſs he ſhould be driven to it, for the ſecurity of his Per-
" ſon, and for the defence of the Religion, Laws, and Liberty
" of the Kingdom, and the juſt Rights and Privileges of Par-
" liament: And therefore he hoped the Malignant Party, who
" had ſo much deſpiſed his Perſon, and uſurped his Office,
" ſhould not, by their ſpecious fraudulent inſinuations, pre-
" vail with his good Subjects to give credit to their wicked
" Aſſertions; and ſo to contribute their Power, and Aſſiſtance
" for the ruine and deſtruction of Themſelves, and his Ma-
" jeſty.

" FOR the Guard about his Perſon (which, he ſaid, not ſo
" much their Example, as their Provocation had enforced him
" to take) it was known it conſiſted of the prime Gentry, in
" fortune and reputation, of that Country; and of One Re-
" giment of Train'd-bands; who had been ſo far from offering
" any Affronts, Injuries, or Diſturbance to any of his good
" Subjects, that their principal End was to prevent ſuch; and
" ſo, might be Security, could be no Grievance to his People.
" That ſome ill affected Perſons, or any Perſons, had been
" imploy'd in other parts to raiſe Troops, under colour of his
" Majeſty's Service; or that ſuch had made large, or any, of-
" fers of reward, and perferment to ſuch as would come in,
" which had been alledged by them, was, he ſaid, for ought
" he knew, or believ'd, an untruth deviſed by the Contrivers
" of that falſe Rumour. His Majeſty diſavow'd it, and ſaid
" he was confident there would be no need of any ſuch Art,
" or Induſtry, to induce his loving Subjects, when they ſhould
" ſee his Majeſty oppreſſed, and their Liberties and Laws con-
" founded (and till Then he would not call on them) to come
" in to him, and to aſſiſt him.

" FOR the Delinquents, whom his Majeſty was ſaid with
" a high and forcible hand to protect, he wiſhed they might
" be named, and their Delinquency: And if his Majeſty gave
" not ſatisfaction to Juſtice, when he ſhould have receiv'd ſa-
" tisfaction concerning Sr *John Hotham* by his legal Tryal,
" Then let him be blamed. But if the deſign were, as it was
" well known to be, after his Majeſty had been driven by
" force from his City of *London*, and kept by force from his

" Town

"Town of *Hull*, to protect all those who were Delinquents "against him, and to make all those Delinquents who attended "on him, or executed his Lawfull Commands, he said, he "had great reason to be satisfied in the truth and justice of "such Accusation, left to be his Majesty's Servant, and to be "a Delinquent, grew to be Terms so convertible, that, in a "short time, he were left as naked in Attendance, as they "would have him in Power; and so compel him to be waited "upon only by such whom They should appoint, and allow; "and in whose presence he should be more miserably alone "than in desolation it self. And if the seditious Contrivers "and Fomenters of that Scandal upon his Majesty, should "have, as they had had, the power to mislead the Major part "present of either or both Houses to make such Orders, and "send such Messages and Messengers, as they had lately done, "for the apprehension of the great Earls and Barons of *Eng-*"*land*, as if they were Rogues or Felons; and whereby Per-"sons of Honour and Quality were made Delinquents, meer-"ly for attending upon his Majesty and upon his Summons; "whilst other Men were forbid to come near him, though "oblig'd by the duty of their Place and Oaths, upon his Law-"ful Commands: It was no wonder if such Messengers were "not very well intreated: and such Orders not well obey'd; "neither could there be a surer, or a cunninger way found "out to render the Authority of both Houses scorn'd and vi-"lified, than to assume to themselves (meerly upon the Au-"thority of the Name of Parliament) a Power monstrous to "all understanding; and to do Actions, and to make Or-"ders, evidently and demonstrably contrary to all known Law, "and Reason (as to take up Arms against his Majesty under "colour of defending him; to cause Money to be brought in "to Them, and to forbid his own Money to be paid to his "Majesty, or to his use, under colour that he would imploy "it ill; to beat him, and starve him for his own Good, and "by His Power and Authority) which would in short time "make the greatest Court, and greatest Person, cheap and of "no estimation.

"WHO those sensible Men were of the publick Calamities, "of the violations of the Privileges of Parliament, and the "Common Liberty of the Subject, who had been baffled, and "injured by Malignant Men, and Cavaliers about his Majesty, "his Majesty said, he could not imagine. And if those Ca-"valiers were so much without the fear of God and Man, and "so ready to commit all manner of outrage and violence, as "was pretended, his Majesty's Government ought to be the "more esteem'd, which had kept them from doing so; inso-"much as he believ'd, no Person had cause to complain of any

"injury, or of any damage, in the leaſt degree, by any Man "about his Majeſty, or who had offer'd his Service to him. "All which being, he ſaid, duly conſider'd, if the Contrivers "of thoſe Propoſitions and Orders had been truly ſenſible of "the obligations, which lay upon them in Honour, Con- "ſcience, and Duty, according to the high Truſt repoſed in "them by his Majeſty, and his People, they would not have "publiſhed ſuch a ſenſe and apprehenſion of Imminent Dan- "ger, when themſelves, in their Conſciences, knew that the "greateſt, and indeed only danger, which threaten'd the "Church and State, the bleſſed Religion and Liberty of his "People, was in their own deſperate and ſeditious Deſigns; "and would not have endeavour'd, upon ſuch weak and "groundleſs Reaſons, to ſeduce his good Subjects, from their "Affection and Loyalty to him, to run themſelves into Actions "unwarrantable, and deſtructive to the Peace and Foundation "of the Common-wealth.

"And that all his loving Subjects might ſee, how cauſleſs "and groundleſs that ſcandalous Rumour, and Imputation of "his Majeſty's raiſing War upon his Parliament, was, he had, "with that his Declaration, cauſed to be printed the Teſti- "mony of thoſe Lords, and other Perſons of his Council, who "were there with him; who, being upon the place, could "not but diſcover ſuch his Intentions and Preparations; and "could not be ſuſpected for their Honours and Intereſts to "combine in ſuch miſchievous, and horrid reſolutions.

"And therefore, his Majeſty ſaid, he ſtreightly charged "and commanded all his Loving Subjects, upon their Alle- "giance, and as they would Anſwer the contrary at their "Perils, that they ſhould yield no obedience, or conſent to "the ſaid Propoſitions and Orders; and that they preſume not "under any ſuch Pretences, or by colour of any ſuch Orders, "to raiſe or levy any Horſe or Men, or to bring in any Mo- "ney or Plate to ſuch purpoſe. But he ſaid, if notwithſtand- "ing that clear Declaration, and Evidence of his intentions, "thoſe Men (whoſe deſign it was to compel his Majeſty to "raiſe War upon his Parliament; which all their skill and "malice ſhould never be able to effect) ſhould think fit, by "thoſe Alarms, to awaken him to a more neceſſary care of the "defence of Himſelf, and his People; and ſhould Themſelves, "under colour of Defence, in ſo unheard of a manner provide "(and ſeduce others to do ſo too) to Offend his Majeſty, "having given him ſo lively a Teſtimony of their Affections, "what they were willing to do, when they ſhould once have "made themſelves Able; all his good Subjects would think it "neceſſary for his Majeſty to look to Himſelf. And he did "therefore excite all his well affected People, according to

"their

"their Oaths of Allegiance, and Supremacy, and according "to their ſolemn Vow, and Proteſtation (whereby they were "oblig'd to defend his Perſon, Honour, and Eſtate) to con- "tribute their beſt Aſſiſtance to the Preparations neceſſary for "the oppoſing, and ſuppreſſing of the Trayterous Attempts of "ſuch wicked and malignant Perſons; who would deſtroy his "Perſon, Honour, and Eſtate, and engage the whole King- "dom in a Civil War, to ſatisfy their own lawleſs Fury and "Ambition; and ſo rob his good Subjects of the bleſſed fruit "of this preſent Parliament; which they already in ſome de- "gree had, and might ſtill reap, to the abundant ſatisfaction "and joy of the whole Kingdom, if ſuch wicked hands were "not ready to ruine all their poſſeſſions, and fruſtrate all their "hopes. And, in that caſe, his Majeſty declar'd, that who- "ſoever, of what Degree or Quality ſoever, ſhould then, upon "ſo urgent and viſible neceſſity of His, and ſuch apparent "diſtraction of the Kingdom, cauſed, and begotten by the "malice and contrivance of that Malignant Party, bring in "to his Majeſty, and to his uſe, ready Money, or Plate; or "ſhould underwrite to furniſh any Number of Horſe, Horſe- "men, and Arms, for the preſervation of the Publick Peace, "and defence of his Perſon, and the vindication of the Pri- "vilege and Freedom of Parliament, he would receive it as "a moſt acceptable Service, and as a Teſtimony of his ſingular "Affection to the Proteſtant Religion, the Laws, Liberties, "and Peace of the Kingdom; and would no longer deſire the "continuance of that Affection, than he would be ready to "juſtify, and maintain the other with the hazard of his Life.

And ſo concluded with the ſame Overtures they had done, in their Propoſitions for the Loan of Money at intereſt; "Offering for the ſecurity thereof, an Aſſurance of "ſuch his Lands, Foreſts, Parks, and Houſes, as ſhould be "ſufficient for the ſame; a more real ſecurity, he ſaid, than "the Name of Publick Faith, given without him, and againſt "him; as if his Majeſty were not part of the Publick; And "beſides, he would always look upon it as a Service moſt af- "fectionately, and ſeaſonably perform'd for the preſervation "of his Majeſty, and the Kingdom. But, he ſaid, he ſhould "be much gladder that their ſubmiſſion to thoſe his Com- "mands, and their deſiſting from any ſuch attempt of raiſing "Horſe or Men, might eaſe all his good ſubjects of that "Charge, Trouble, and Vexation.

It will be wonder'd at hereafter, when, by what hath been ſaid, the Number and Quality of the Peers is conſider'd, who, by abſenting themſelves from the Houſe, and their re- ſort to his Majeſty, ſufficiently declared, that they liked not thoſe Concluſions which begot thoſe Diſtractions; why both

those Peers and likewise such Members of the Commons, who then, and afterwards appeared in the King's Service, and were indeed full, or very near one Moiety of that House, did not rather, by their diligent and faithful Attendance in the Houses, according to their several Trusts reposed in them, discountenance and resist those pernicious and fatal Transactions, than, by withdrawing themselves from their proper Stations, leave the other (whose ruinous intentions were sufficiently discover'd) possessed of the Reputation, Authority, and Power of a Parliament; by which, it was evident, the People would be easily, to a great degree, seduced. And though the observing Reader may, upon the collection of the several passages here set down, be able to answer those objections to himself; I am the rather induced, in this place, to apply my self to the clearing that Point, because not only many Honest Men, who at a distance, have consider'd it, without being Privy to the Passages within the Walls, and those breaches which fatally destroyed, and took away the Liberty and Freedom of those Councils, have been really troubled or unsatisfy'd with that Desertion, as they call it, of the Service to which they were incumbent, and chosen; but that I have heard some, who were the chief, if not the sole Promoters of those Violations, and the most violent Designs, and have since (out of the Ruptures, which have proceeded from their own Animosities) either been, or been thought to be, more moderately inclined, complain, "That the withdrawing of "so many Members from the two Houses, was the principal "Cause of all Calamities. And they who have been the true Authors of them, and still continue the same Men, have taken pains to make and declare the others "Deserters of their "Country, and Betrayers of their Trusts, by their Voluntary "withdrawing themselves from that Council.

In the doing whereof, I shall not, I cannot, make any excuse for those (of whom somewhat is before spoken) who, from the beginning of this Parliament, and in the whole progress of it, either out of laziness, or negligence, or incogitancy, or weariness forbore to give their Attendance there, when the Number of those who really intended those prodigious Alterations was very inconsiderable; and daily drew many to their opinions, upon no other ground than that the Number of the Dissenters appeared not equally diligent, and intent upon their Assertions: Neither can I excuse the Peers, the moderate part whereof being Four for One, suffer'd themselves to be couzen'd, and perswaded, and threaten'd out of their Rights by a handful of Men, whom they might, in the beginning, easily have crushed; whereas in the House of Commons the great Managers were Men of notable Parts, much Reputation,

Reputation, admirable Dexterity; Pretenders to ſevere juſtice, and regularity; and then the Number of the weak, and the wilful, who naturally were to be guided by them, always made up a Major part; ſo that, from the beginning, they were always able to carry whatſoever they ſet their Hearts viſibly upon; at leaſt, to diſcredit, or diſgrace any particular Man againſt whom they thought neceſſary to proceed, albeit of the moſt unblemiſhed Reputation, and upon the moſt frivolous ſuggeſtions; ſo that they could not but be very formidable, in that Houſe, to all but the moſt abſtracted Men from all vulgar Conſiderations.

BUT, I am confident, whoſoever diligently revolves the ſeveral paſſages in both Houſes, from the time of the publiſhing the firſt Remonſtrance, upon his Majeſty's Return from *Scotland*, to the time of which we laſt ſpeak, muſt be of opinion, that the reſorting of ſo many Members then to his Majeſty (from whom all the Lords, and ſome of the Commons, receiv'd Commands to that purpoſe) or to ſuch places, where they thought they might be of greateſt uſe to his Majeſty in preſervation of the Peace of the Kingdom, was not only an Act of Duty, but of ſuch Prudence and Diſcretion, as Sober and Honeſt Men were to be guided by. In the Houſe of Peers, the Biſhops, who had as much Right to ſit there, and were as much Members of Parliament as any Lord there, were firſt, by direct Violence and Force, a great part of them, driven and kept from thence, till the Bill for the total Expulſion of the whole Order from thoſe Seats, was paſſed; ſuch of the Peers, who were moſt remarkable for adhering to the Government of the Church, being, in the mean time, threaten'd publickly by the Rabble; and ſome of their Perſons Aſſaulted. The buſineſs of the Militia had been twice, upon a ſolemn Debate in a full Houſe, rejected there; till ſuch Force and Violence was brought to the very doors, ſuch Expoſtulations and Threats deliver'd within the doors againſt thoſe who refuſed to Concur with them in that buſineſs, that no Man had reaſon to believe his Life out of danger from thoſe rude hands, who was taken notice of for an Oppoſer of their unreaſonable deſires; ſome of them having been declar'd Enemies to their Country, for having refuſed what was in their power lawfully to refuſe; and others having been Criminally accuſed by the Commons, for words ſpoken by them in Debates of the Houſe of Peers; after which many of them were ſent for, by ſpecial Letters, to attend his Majeſty (which Letters were always thought to be a good, and warrantable, and ſufficient ground to be abſent from the Houſe; nor had ſuch Summons, from the beginning of Parliaments to this preſent, ever been neglected) with whom they had not been

many weeks, but two of them, as hath been mention'd before, upon an untrue and extravagant information, without further examination, were declar'd Enemies to the Kingdom; and nine others by solemn judgment, upon an Impeachment brought up by the Commons against them, only for being absent, and for what only concern'd the Privilege and Jurisdiction of the Peers, were disabled to sit in the House again during this Session; so that, if they would have returned, they were actually excluded that Council.

In the House of Commons, the case was worse: First, they who had, with that Liberty which is essential to Parliaments, and according to their understandings, dissented or declar'd a dislike of what the Violent Party so vehemently pursued, were, as hath been said before, declar'd Enemies to their Country; and their Names posted up in Paper, or Parchment, at most eminent places, under some opprobrious Character; which, though it was not avow'd, and had no Authority from the House by any Publick Act, yet, being complain'd of, was neither redressed, nor was the complaint so countenanced, that it could be concluded the Violation was unacceptable: so, though the Tumults were not directly summon'd or assembled, it is evident, by what hath been before set forth truly and at large, that they found there visible countenance, and encouragement.

Then what had been upon full and solemn Debates in a full House rejected, was many times, in a thin House, and at unusual and unparliamentary Hours, resum'd, and determin'd contrary to the former Conclusions: Yet Men satisfied themselves with doing what they thought their Duty and reasonably opposing what the Major part order'd to be done; hoping that Men's understandings would be shortly better inform'd; and that though high and irreverent Expressions and Words were sometimes used against the King, there would be abstaining from unlawful and dangerous Actions; and that the House of Peers, at least, would never be brought to joyn, or concur in any Act prejudicial to the Soveraign Power. But when they saw a new way found out by the dexterity of the Major part in the House of Commons, to make the Minor part of the Lords too hard for the Major; and so, whilst all Men were transported with jealousy of the breach of Privilege of Parliament by the King, that there was, by the Houses themselves, an absolute rooting up of all Privileges: That from Metaphysical Considerations, what might be done in case of necessity, the Militia of the Kingdom was Actually seised on; and put under a Command contrary to, and against the King's Command: That there was then a Resolution taken, by those who could Act their Resolutions when they pleased,

pleaſed to make a General, and to oblige all the Members to live and die with that General; which will be anon more particularly mention'd (for that Reſolution was well known before the time that thoſe many Members removed to *York*, and withdrew to other places; and was executed within three or four days after) Men thought it high time to look to their innocence, and (ſince by the Courſe and Orders of that Houſe, they could leave no Monument or Evidence of their Diſſenting, as the Lords might, by their Proteſtations upon any unlawful Act, or Reſolution) to declare their diſlike of what was done, by not being preſent at the doing: And it was reaſonably thought, there being no other way peaceably and ſecurely to do it, that the Kingdom, underſtanding the Number of thoſe that were preſent at ſuch new Tranſactions, and weighing the Quality, Number, and Reputation of thoſe who were abſent, would be beſt induced to prefer the old Laws of the Kingdom, before the new Votes (deſtructive to thoſe Laws) of thoſe few Men, who called themſelves the two Houſes of Parliament; and that it would prove a good Expedient to work upon the Conſciences, and modeſty of thoſe who ſtay'd behind, to conclude it neceſſary, by ſome fair Addreſſes to his Majeſty, to endeavour ſuch a general good underſtanding, that a perfect Union might be made; and the Privilege, Dignity, and Security of Parliament, be eſtabliſh'd according to the true, and juſt Conſtitution of it.

It is true, how reaſonably ſoever it might be expected, it produced not that Ingenuity; but they who had been troubled with the company of them that afterwards withdrew, and, by the oppoſition they made, could not make that expedition in the miſchief they intended, were glad they were rid of them; yet, ſhortly, conſidering what influence, indeed it might have upon underſtanding Men, they found a way to caſt a reproach upon thoſe who were abſent, and yet to prevent any inconvenience to themſelves by their return; publiſhing an Order, "That all the Members abſent ſhould appear "at ſuch a day under the Penalty of paying each a 100l Fine "for his abſence; and whoſoever did not appear at that day (which gave not time enough to any who were at a diſtance) "Should not preſume to ſit in the Houſe, before he had "paid his Fine, and ſatisfied the Houſe with the cauſe of his "abſence; So that all thoſe who were with the King, and very many more, who had really withdrawn themſelves to refreſh their minds, or upon neceſſary Affairs of their own, with a purpoſe to return, clearly diſcern'd themſelves excluded from ſitting any more there; it being ſufficiently manifeſt, that the Cauſe of their abſence would never be approv'd, if their Perſons were diſliked, and their Opinions diſapproved:

Which

Which appeared quickly; for the day was no sooner past, but they, without the least warrant of Precedent or colour of Right, expell'd very many, sometimes twenty a day, not only of those who were with the King, but of others who had given them equal distaste; and order'd new Writs to issue out to choose other Members in their Rooms.

It cannot be denied but some very honest and entire Men stay'd still there, and opposed all their unjustifiable proceedings with great Courage, and much liberty of Speech; which was more frankly permitted to them than had been before, when the Number of the Dissenters was greater; and it may be there are still some who satisfy themselves that they have perform'd their Duty, by always having denied to give their consent to whatsoever hath been seditiously, or illegally concluded. But I must appeal to the Consciences of those very Men, whether they have not been many times, by staying there, compell'd, or terrified to do, and submit to many Acts contrary to their Conscience, in cases of Conscience; and contrary to their Judgment and Knowledge, in matters of Law, and Right; and contrary to their Oaths and Duties, in matters of Allegiance; and whether if they had refused so to do, they should not have been plunder'd, expell'd, and committed to Prison? And then they cannot be thought to have proceeded unreasonably, who to preserve their Innocence, and their Liberty, chose to undergo all the other Censures and Difficulties which could befal them, and which have been since plentifully pour'd upon them. But to return.

The King had at this time call'd to him some Judges, and Lawyers of Eminency; by whose Advice he published a Declaration concerning the Militia, and asserted "The Right "of the Crown in granting Commissions of Array, for the "better ordering and governing thereof; and, at the same time issued out those Commissions to all Counties, "Expres- "ly forbidding any Obedience to be given to the Ordinance "for the Militia by both Houses, under the penalty of High "Treason. This only improv'd the Paper-combate in Declarations; either Party insisting "That the Law was on their "side; and the People giving Obedience to either, according to their conveniences: And many did believe, that if the King had resorted to the known way of Lord Lieutenants, and Deputy Lieutenants, his Service would have been better carried on; the Commission of Array being a thing they had not before heard of, though founded upon an Ancient Act of Parliament in the Reign of *Hen.* IV. and so was received with jealousy, and easily discredited by the glosses and suggestions of the Houses.

Besides that some Men of very good Affections to the Crown,

Crown, and averſe enough to the extravagant pretences and proceedings of the Parliament, did not conceal their prejudice to the Commiſſion of Array, as not warranted by Law; which did very much work upon other Men, and made the Obedience leſs cheerful that was given to that Service. Mr *Selden* had, in the Debate upon that Subject in the Houſe of Commons, declar'd himſelf very poſitively, and with much ſharpneſs againſt the Commiſſion of Array, as a thing expreſly without any Authority of Law; the Statute upon which it was grounded being, as he ſaid, repeal'd; and diſcourſed very much of the ill Conſequences, which might reſult from ſubmitting to it: He anſwer'd the Arguments which had been uſed to ſupport it; and eaſily prevail'd with the Houſe not to like a proceeding, which they knew was intended to do them hurt, and to leſſen their Authority. But his Authority and Reputation prevail'd much further than the Houſe, and begot a prejudice againſt it in many well affected Men without doors: When the King was inform'd of it, he was much troubled, having looked upon Mr *Selden* as well diſpoſed to his Service. And the Lord *Falkland*, with his Majeſty's leave, writ a friendly Letter to Mr *Selden*, "To know his reaſon, "why, in ſuch a conjuncture, whatever his Opinion were, "he would oppoſe the ſubmiſſion to the Commiſſion of Ar- "ray, which no body could deny to have had it's original "from Law, and which many Learned Men ſtill believed to "be very Legal, to make way for the eſtabliſhment of an "Ordinance, which had no manner of pretence to Right. He Anſwer'd this Letter very frankly; as a Man who believed himſelf in the right upon the Commiſſion of Array, and that the Arguments he had uſed againſt it could not be Anſwer'd; ſumming up ſome of thoſe Arguments in as few words as they could be comprehended in: But then he did as frankly inveigh againſt the Ordinance for the Militia, "Which he "ſaid, was without any ſhadow of Law or pretence of Prece- "dent, and moſt deſtructive to the Goverment of the King- "dom: And he did acknowledge, that he had been the more "inclin'd to make that diſcourſe in the Houſe againſt the "Commiſſion, that he might with the more freedom argue "againſt the Ordinance; which was to be conſider'd upon a "day then appointed: And was moſt confident, that he ſhould "likewiſe overthrow the Ordinance: which, he confeſſed, "could be leſs ſupported; and he did believe, that it would be "much better, if both were rejected, than if either of them "ſhould ſtand, and remain uncontrolled. But his confidence deceived him; and he quickly found, that they who ſuffer'd themſelves to be intirely govern'd by his Reaſon, when thoſe Concluſions reſulted from it which contributed to their own

deſigns,

designs, would not be at all guided by it, or submit to it, when it perswaded that which contradicted, and would disappoint those designs: And so, upon the day appointed for the Debate of their Ordinance, when he applied all his Faculties to the convincing them of the illegality and monstrousness of it, by Arguments at least as clear and demonstrable as his former had been, they made no impression upon them; but were easily Answer'd by those who with most Passion insisted upon their own sense. He had satisfied them very well, when he Concurr'd with them in Judgment; but his Reasons were weak, when they crossed their Resolutions. So most Men are deceiv'd in being too reasonable; concluding that Reason will prevail upon those Men to submit to what is Right and Just, who have no other consideration of Right or Justice, but as it advances their Interest, or complies with their Humour, and Passion. And so easy it hath always been to do harm, and to mislead Men, and so hard to do good, and reduce them to Reason.

THESE Paper-skirmishes left neither side better inclin'd to the other; but, by sharpning each other, drew the matter nearer to an Issue. The King had written a Letter to the Mayor and Aldermen of *London*, and to the Masters and Wardens of each Company; by which, "He assured them, of his "desire of the Peace of the Kingdom; and therefore requir'd "them, as they tender'd their Charter of the City, and their "own particular Welfares, not to bring in Horses, Money, "or Plate, upon the Propositions of the Houses; whereby, "under pretence of raising a Guard for the Parliament, "Forces would be levy'd, and in truth, imploy'd against his "Majesty: Of which the Houses taking notice, publish'd a "Declaration to the City, "That they could not be secur'd by "his Majesty's Protestations, that his desires, and purposes "were for the Publick Peace; since it appear'd, by divers ex-"pressions, and proceedings of his Majesty, that he intended "to use Force against those who submitted to the Ordinance "of the Militia; and that he had likewise some intention of "making an Attempt upon *Hull*. In both which Cases, they "did declare, that whatsoever Violence should be used, either "against those who exercise the Militia, or against *Hull*, They "could not but believe it as done against the Parliament. "They told them, that the dangerous, and mischievous in-"tentions of some about his Majesty were such, that what-"soever was most precious to Men of Conscience and Ho-"nour, as Religion, Liberty, and Publick Safety, were like "to be overwhelm'd and lost in the general Confusion and "Calamity of the Kingdom; which would not only question, "but overthrow the Charter of the City of *London*; expose "the

The Parliament's Declaration to the City upon a Letter from the King to the L. Mayor and Aldermen.

"the Citizens, their Wives and Children, to violence and "villany; and leave the Wealth of that famous City as a "Prey to those desperate, and necessitous Persons: And there- "fore they forbid all the Officers to publish that Paper, as "they would answer their Contempt to the Parliament; by "the Power and Authority of which, they assur'd them, they "should be protected, and secured in their Persons, Liber- "ties, and Estates, for whatsoever they should do by Their "advice or perswasion.

To this the King replied, "That he wonder'd since they *The King's Reply.* "had usurped the supreme Power to themselves, they had not "taken upon them the Supreme Style too; and directed their "very new Declaration to their Trusty and Well-beloved, "their Subjects of the City of *London*: For it was too great "and palpable a Scorn; to perswade them to take up Arms "against his Person, under Colour of being loving Subjects "to his Office; and to destroy his Person, that they might "preserve the King: That he was beholding to them, that "they had explain'd to all his good Subjects the meaning of "their Charge against his Majesty, that by his intention of "making War against his Parliament, no more was pretended "to be meant, but his resolution not to submit to the high In- "justice and Indignity of the Ordinance for the Militia, and "the business of *Hull*. He said, he had never conceal'd his "intentions in either of those Particulars (he wish'd They "would deal as clearly with Him) but had always, and did "now declare, That that pretended Ordinance was against the "Law of the Land; against the Liberty and Property of the "Subject; destructive to Soveraignty; and therefore not con- "sistent with the very Constitution and Essence of the King- "dom, and the Right and Privilege of Parliament: That he "was bound by his Oath (and all his Subjects were bound by "theirs of Allegiance, and Supremacy, and their own Pro- "testation lately taken, to assist his Majesty) to oppose that "Ordinance, which was put already in execution against him, "not only by Training and Arming his Subjects, but by "forcibly removing the Magazine, from the place trusted by "the County, to their own Houses, and guarding it there "with Arm'd Men: Whither it would be next removed, and "how used by such Persons, he knew not.

"THAT the keeping his Majesty out of *Hull* by Sr *John* "*Hotham*, was an Act of High Treason against his Majesty; "and the taking away his Magazine and Munition from him, "was an Act of Violence upon his Majesty, by what hands "or by whose direction soever it was done; And, in both "cases, by the help of God, and the Law, his Majesty said, "he would have Justice, or lose his life in the requiring it;

"the

"the which he did not value at that rate, as to preſerve it with "the Infamy of ſuffering himſelf to be robbed, and ſpoiled of "that Dignity he was born to. And if it were poſſible for "his good Subjects to believe, that ſuch a Defence of himſelf, "with the utmoſt power and ſtrength he could raiſe, was "making a War againſt his Parliament, he did not doubt, "however it ſhould pleaſe God to diſpoſe of him in that con-"tention, but the juſtice of his Cauſe would, at the laſt, pre-"vail againſt thoſe few Malignant Spirits, who, for their own "ends and ambitious deſigns, had ſo miſled and corrupted "the underſtandings of his People. And ſince neither his own "Declaration, nor the Teſtimony of ſo many of his Lords, "then with his Majeſty, could procure credit with thoſe Men, "but that they proceeded to levy Horſe, and to raiſe Money "and Arms againſt his Majeſty, he ſaid, he was not to be "blamed, if after ſo many gracious expoſtulations with them, "upon undeniable principles of Law and Reaſon (which they "anſwer'd only by Voting that which his Majeſty ſaid, to be "neither Law, nor Reaſon; and ſo proceeded actually to levy "War upon his Majeſty, to juſtify that which could not be "otherwiſe defended) at laſt he made ſuch proviſion, that as "he had been driven from *London*, and kept from *Hull*, he "might not be ſurpriſed at *York*; but be in a condition to re-"ſiſt, and bring to juſtice thoſe Men, who would perſwade "his People that their Religion was in danger, becauſe his "Majeſty would not conſent it ſhould be in Their power to "alter it by their Votes; or their Liberty in danger, becauſe "he would allow no Judge of that Liberty, but the known "Law of the Land: Yet, he ſaid, whatever proviſion he "ſhould be compelled to make for his ſecurity, he would be "ready to lay down, aſſoon as they ſhould revoke the Orders "by which they had made Levies, and ſubmitted thoſe Per-"ſons, who had detain'd his Towns, carried away his Arms, "and put the Militia in execution contrary to his Proclamation, "to that Trial of their innocence, which the Law had di-"rected, and to which they were born: If that were not ſub-"mitted to, he ſhould, with a good conſcience, proceed againſt "thoſe who ſhould preſume to exerciſe that pretended Ordi-"nance for the Militia, and the other who ſhould keep his "Town of *Hull* from him, as he would reſiſt Perſons who "came to take away his Life, or his Crown from him.

"AND therefore his Majeſty again remember'd and re-"quired his City of *London* to obey his former Commands, "and not to be miſled by the Oration of thoſe Men, who "were made deſperate by their Fortunes, or their Fortunes "by Them; who told them their Religion, Liberty, and "Property, was to be preſerv'd no other way, but by their

"Diſloyalty

"Disloyalty to his Majesty: That they were now at the brink "of the River, and might draw their Swords (which was an "expression used at a great convention of the City) when no- "thing pursued them but their own evil consciences. He wish'd "them to consider, whether their Estates came to them, and "were settled upon them, by Orders of both Houses, or by "that Law which his Majesty defended: What security they "could have to enjoy their own, when they had helped to rob "his Majesty; and what an happy conclusion That War was "like to have, which was raised to oppress their Soveraign: "That the wealth and glory of their City was not like to be "destroyed any other way, but by Rebelling against his Ma- "jesty; and that way inevitably it must; nor their Wives and "Children to be exposed to violence and villany, but by those "who make their Appetite and Will the measure, and guide "to all their Actions. He advised them not to fancy to them- "selves Melancholy apprehensions, which were capable of no "satisfaction; but seriously to consider what security they "could have, that they had not under his Majesty, or had "been offer'd by him: And whether the Doctrine those Men "taught, and would have them defend, did not destroy the "Foundations upon which their security was built?

THE great conflux that hath been mention'd, of Men of all Conditions, and Qualities, and Humours, could not continue long together at *York*, without some impatience and commotion; and most Men wonder'd, that there appear'd no provisions to be made towards a War, which they saw would be inevitable: And when the Levies of Soldiers under the Earl of *Essex*, were hasten'd with so much vigour, that the King should have no other Preparations towards an Army, than a single Troop of Guards made up of Gentlemen Voluntiers; who, all Men foresaw, would quit the Troop, when there should be an Army: And many do yet believe, that the King too long deferr'd his recourse to Arms; and that if he had raised Forces upon his first repulse at *Hull*, his service would have been very much advanced; and that the Parliament would not have been able to have drawn an Army together. And so men still reproach the Councils which were then about the King, as they were censured by many at that time; but neither They then, nor These now do understand the true reason thereof. The King had not, at that time, one Barrel of Powder, nor one Musquet, nor any other provision necessary for an Army; and, which was worse, was not sure of any Port, to which they might be securely assign'd; nor had he Money for the support of his own Table for the term of one Month. He expected, with impatience, the arrival of all those necessaries, by the care and activity of the Queen; who

was

was then in *Holland*, and by the sale of her own, as well as of the Crown Jewels, and by the friendship of *Henry* Prince of *Orange*, did all she could to provide all that was necessary; and the King had newly directed her to send all to *New-Castle*, which was but then secured to him by the diligence of the Earl of that Name. In the mean time both the King Himself, and they who best knew the state of his Affairs, seem'd to be without any thoughts of making War; and to hope, that the Parliament would at last incline to some Accommodation; for which both his Majesty, and those Persons were exposed to a thousand reproaches.

THE Queen had many difficulties to contend with; for though the Prince of *Orange* had a very signal affection for the King's Service, and did all he could to dispose the States to concern themselves in his Majesty's Quarrel; yet his Authority, and Interest, was much diminish'd with the vigour of his Body and Mind: And the States of *Holland* were so far from being inclin'd to the King, that they did him all the mischief they could. They had before assisted the Rebellion in *Scotland*, with giving them credit for Arms and Ammunition, before they had money to buy any; and they did afterwards, several ways, discover their affections to the Parliament; which had so many Spies there, that the Queen could do nothing they had not present notice of; so that it was no easy matter for the Queen to provide Arms and Ammunition, but the Parliament had present notice of it, and of the ways which were thought upon to transport them to the King: And then their Fleet, under the Command of the Earl of *Warwick*, lay ready to obstruct and intercept that Communication; nor was any remedy in view to remove this mischief; insomuch as it was no easy thing for the King to send to, or to receive Letters from the Queen.

THERE was a small Ship of 28 or 30 Guns, that was part of the Fleet that wafted her Majesty into *Holland* from *Dover*, which was called the *Providence*, under the Command of Captain *Straugham*, when the Fleet was Commanded by Sr *John Pennington*, and before the Earl of *Warwick* was superinduced into that Charge against the King's Will. That Ship, the Captain whereof was known to be faithful to his Majesty, was, by the Queen, detain'd, and kept in *Holland* from the time of her Majesty's Arrival, under several pretences, of which the Captain made use, when he afterwards received Orders from the Earl of *Warwick* "To repair to the "Fleet in the *Downs*; until, after many promises and excuses, it was at last discern'd that he had other Business and Commands; and so was watched, by the other Ships, as an Enemy. This vessel the Queen resolv'd to send to the King, princi-

principally to inform his Majesty of the streights she was in; of the provisions she had made, and to return with such particular Advice, and Directions from his Majesty, that she might take further resolutions: And because the Vessel was light, and drew not much Water, and so could run into any Creek, or open Road, or Harbour, and, from thence, easily send an express to the King; there was put into it about two hundred Barrels of Powder, and two or three thousand Arms with seven or eight Field-Pieces; which, they knew, would be very welcome to the King, and serve for a beginning and countenance to draw Forces together. The Captain was no sooner put to Sea, but notice was sent to the Commander of the Fleet in the *Downs*: who immediately sent three or four Ships to the North, which easily got the Providence in View, before it could reach that Coast; and chased it with all their Sails, till they saw it enter into the River of *Humber*; when, looking upon it as their own, they made less haste to follow it, being content to drive it before them into their own Port of *Hull*; there being, as they thought no other way to escape them; until they plainly saw the Ship entring into a narrow Creek out of *Humber*, which declined *Hull*, and led into the Country some Miles above it; which was a place well known to the Captain, and design'd by him to arrive at from the beginning. It was in vain for them then to hasten their pursuit; for they quickly found that their great Ships could not enter into that passage, and that the River was too shallow to follow him; and, so, with shame and anger, they gave over the Chase; whilst the Captain continued his course; and having never thought of saving the Ship, run it on Shore on that side towards *Burlington*; and, with all expedition, gave notice to the King of his arrival; who, immediately, caused the Persons of Quality, in the parts adjacent, to draw the Train'd-bands of the Country together, to secure the incursions from *Hull*; and by this means, the Arms, Ammunition, and Artillery, were quickly brought to *York*.

The King was well content that it should be generally believed, that this small Ship, the size whereof was known to few, had brought a greater quantity and proportion of Provisions for the War, than in truth it had; and therefore, though it had brought no Money, which he expected, he forthwith granted Commissions, to raise Regiments of Horse and Foot, to such Persons of Quality and Interest, as were able to comply with their obligations. He declar'd the Earl of *Lindsey*, Lord High Chamberlain of *England*, his General of the Army; a Person of great Honour and Courage, and generally beloved; who many years before had good Commands in *Holland*, and *Germany*, and had been Admiral at Sea in several Expedi-

tions. Sr *Jacob Ashley* was declar'd Major General of the Foot, a Command he was very equal to, and had exercised before, and executed after with great approbation. The Generallship of the Horse, his Majesty reserved for his Nephew Prince *Rupert*; who was daily expected, and arrived soon after: And all Levies were hasten'd with as much expedition as was possible in so great a scarcity, and notorious want of Money; of which no more need be said, after it is remember'd that all the Lords, and Council about the King, with several other Persons of Quality, voluntarily made a Subscription for the payment of so many Horse for three Months; in which time they would needs believe that the War should be at an end; every one paying down what the three Months pay would amount to, into the hands of a Treasurer appointed to receive it; and this Money was presently paid for the making those Levies of Horse, which were design'd; and which could not have been made but by those Monies.

And now the King thought it time to execute a Resolution he had long intended, and which many Men wonder'd he neglected so long; which was as much as in him lay, to take the Admiralty into his own hands. He had long too much cause to be unsatisfied, and displeased with the Earl of *Northumberland*; whom he thought he had oblig'd above any Man whatsoever. His delivering the Fleet into the hands and Command of the Earl of *Warwick*, after his Majesty had expresly refused it to the Parliament, the King could not easily forgive; however he thought it not Then seasonable to resent it, because he had nothing to object against him, but his compliyance with the Command of the Parliament, who would have own'd it as their own quarrel; and must have obliged that Earl to put his whole Interest into Their hands, and to have run Their Fortune; to which he was naturally too much inclin'd: And then his Majesty foresaw, that there would have been no Fleet at all set out that year, by their having the Command of all the Money, which was to be applied to that Service. Whereas, by his Majesty's concealing his resentment, there was a good Fleet made ready, and set out; and many Gentlemen settled in the Command of Ships, of whose Affection and Fidelity his Majesty was assured, that no Superior Officer could corrupt it; but that they would, at all times, repair to his Service, whenever he requir'd it. And, indeed, his Majesty had an opinion of the devotion of the whole body of the Common Sea-men to his Service, because he had, bountifully, so much mended their Condition, and increased their Pay, that he thought they would have even thrown the Earl of *Warwick* over Board, when he should Command them; and so the respiting the doing it would be of little importance. But now, that

that a Ship of his own, in the execution of his Commands, ſhould be chaſed by his own Fleet as an Enemy, made ſuch a noiſe in all places even to his reproach and diſhonour, that he could no longer defer the doing what he had ſo long thought of. He reſolv'd therefore, to revoke the Earl of *Northumberland*'s Commiſſion of the Office of High-Admiral of *England*, and to ſend the Revocation to him under the Great Seal of *England*: Then, to ſend Sr *John Pennington*, who was then at *York*, on board the Fleet, and to take the Charge of it: and Letters were prepared, and ſign'd by the King, to every one of the Captains; whereby they were required, "To obſerve the "Orders of Sr *John Pennington*. And all this was carried with all poſſible Secrecy, that none, but thoſe few who were truſted, knew, or ſuſpected any ſuch Alteration.

BUT the King thought fit, firſt to adviſe with Sr *John Pennington*; of whoſe Integrity he was confident, and whoſe Judgment he always principally relied on in all his Maritime Actions; and thought him the only Perſon fit immediately to take the Fleet out of the Earl of *Warwick*'s poſſeſſion; who had diſpoſſeſſed Him of the Command that year, which he had uſually exerciſed. Sr *John Pennington*, finding the matter full of difficulty, and the execution like to meet with ſome interruptions, expreſſed no alacrity to undertake it in his own Perſon; alledging, "That himſelf ſtood in the Parliament's diſfavour, and "jealouſy (which was true) and that therefore his motion, and "journey towards the *Downs*, where the Fleet then lay, would "be immediately taken notice of; and his Majeſty's Deſign be "ſo much gueſſed at, that there would need no other Diſco-"very; but he propounded to his Majeſty, "That he would "ſend a Letter to Sr *Robert Manſel*, who lived at *Greenwich*, "ſpeedily to go to the Fleet, and to take charge of it, and that "His Authority, being Vice-Admiral of *England*, and his "known and great Reputation with the Sea-men, would be "like to meet with the leaſt reſiſtance. His Majeſty, imparting this Counſel to thoſe whom he had made Privy to his purpoſe, enter'd upon new conſiderations; and concluded, "That Sr "*Robert Manſel*'s age (though his Courage and Integrity were "unqueſtionable) and the accidents that depended upon that, "would render that Expedient moſt hazardous; and that, in "truth, there needed no ſuch abſolute and ſupreme Officer, to "be appointed in the firſt Article; but rather, that his Maja-"ſty ſhould direct his Special Letter to the Captain of every "Ship, requiring him immediately to weigh Anchor, and to "bring away his Ship to ſuch a place as his Majeſty might ap-"point, where he ſhould receive further Orders: And to that "place he might ſend ſuch an Officer, as he thought fit to truſt "with the Command of the whole Navy ſo aſſembled. Ac-

cording to this Resolution, the whole Dispatch was prepared. First a Revocation of the Earl of *Northumberland*'s Commission of Admiral, under the Great Seal of *England*; of which there was a Duplicate; the one to be sent to his Lordship; the other to the Earl of *Warwick*; whose Commission was founded upon, and so determined by, the other. Then a particular Letter to each of the Captains of his Ships, informing them "Of his Majesty's Revocation of the Admiral's Patent, and, "consequently, of the determination of the Earl of *Warwick*'s "Commission (to whom his Majesty likewise writ, to "Inhi-"bit him from further meddling in that Charge) and therefore commanded them to yield no further obedience to either of their Orders; but that, immediately upon the receipt of those his Royal Letters, he should weigh Anchor; and with what speed he might, repair to *Burlington*-Bay upon the Coast of *York-shire*; where he should receive his Majesty's further pleasure: And so each Commander, without relation to any other Commands, had no more to look after but his own Ship, and his own Duty; by which the King might expect, at least, so many Ships as were under the Command of those who had any Affection or Fidelity to his Service.

ACCORDINGLY, all things being prepared, and signed by the King, and sealed, what immediately concern'd the Earl of *Northumberland* was deliver'd to one of his Majesty's Pages, to be given to the Earl of *Northumberland* at *London*; and the whole dispatch to the Fleet to Mr *Edward Villiers*, whose diligence and dexterity his Majesty found fit for any Trust; the former being directed "Not to make such haste, but that the "other might be at least as soon at the *Downs*, as He at *London*; and Mr *Villiers* again being appointed what Letters he should first deliver to the Captains; "And that he should Visit the "Earl of *Warwick* in the last place; that his Activity might have no influence upon the Sea-men to prevent their obedience to his Majesty. And surely if this resolution had been pursued, it is very probable, that the King had been Master of very many of his Ships again. But, when the Messengers were dispatched, and well instructed, and he that was for *London* gone on his Journey, there was a suddain and unexpected change of the whole direction to the Fleet, by Sr *John Pennington*'s repair to his Majesty; and upon second thoughts, offering "To go Himself to the *Downs*, and to take Charge of "the Fleet; which changed the Forms of the Letters to the several Captains; and, instead of leaving every one to use his best expedition to bring away his own Ship to *Burlington*, "Re-"quired them only to observe such Orders, as they should re-"ceive by Sr *John Pennington*; who thought not fit (for the reasons formerly given of his being taken notice of) to go with Mr *Villiers*;

Mr *Villiers*; but by him, writ to Sr *Henry Palmer*, to whom likewise his Majesty sent a Letter to that purpose, being an Officer of the Navy, and who liv'd by the *Downs*, "Immediately "to go aboard the Admiral; and that he Himself would make "all possible haste to him, setting out at the same time with "Mr *Villiers*; but Journeying a further and more private way. Mr *Villiers*, left, by his stay for the alteration of his dispatches, the Page's coming to *London* sooner than was intended at his setting out, might produce some inconvenience to the Service, slept not till he came to Sr *Henry Palmer*; who, being infirm in his Health, and surprised with the Command, could not make that expedition aboard, as might have been requisite; though he was Loyally and Zealously affected to his Majesty's Service. However Mr *Villiers* hasten'd to the Ships which lay then at Anchor, and according to his Instructions, deliver'd his several Letters to the Captains; the greatest part whereof receiv'd them with great expressions of duty and submission, expecting only to receive Sr *John Pennington*'s Orders, for which they stay'd; and, without doubt, if either the first Letters had been sent, or Sr *John Pennington* been present, when these others were deliver'd, his Majesty had been possessed of the greatest part of the Fleet; the Earl of *Warwick* being at that time, according to his usual Licences, with some Officers whose company he liked, on shore making merry; so that there was only his Vice-Admiral, Captain *Batten*, on board; who was of eminent disaffection to his Majesty: The Rear-Admiral Sr *John Mennes*, being of unquestionable Integrity.

But after five or six hours (in which time nothing could be acted, for want of advice and direction; enough being ready to Obey, but none having Authority to Command) the Earl of *Warwick* came aboard his Ship, to whom Mr *Villiers* likewise gave his Majesty's Letters of his Discharge; who, without any Declaration of disobeying it, applied himself to the confirming those who he thought true to his Party, and diligently to watch the rest; presuming, that he should speedily hear from those by whom he had been originally trusted.

In the mean time, the Captains expected Orders from Sr *John Pennington*; who likewise privately expected such an account from Sr *Henry Palmer*, as might encourage him to come to the Ships. But this unfortunate delay disappointed all: For the other Gentleman, according to his Instructions, having reach'd *London* in the evening after the Houses were risen, deliver'd the King's Letter, and the Discharge of his Commission, to the Earl of *Northumberland*; who, with all shews of Duty and Submission, expressed "His Resolution to obey his "Majesty; and a hearty sorrow, that he had, by any Misfortune, incurr'd his Majesty's displeasure. How ingenuous so-

The King revokes the Earl of Northumberland's Commission of Admiral.

ever this demeanour of his Lordſhip's was, the buſineſs was quickly known to thoſe who were more concern'd in it; who were exceedingly perplexed, with the apprehenſion of being diſpoſſeſſed of ſo great a part of their ſtrength, as the Royal Fleet; and earneſtly preſſed the Earl of *Northumberland*, "That, "notwithſtanding ſuch his Majeſty's Revocation, he would "ſtill continue the execution of his Office of Lord High Ad- "miral; in which they would aſſiſt him with their utmoſt and "full Power, and Authority. But his Lordſhip alledging, "that it would ill become Him, who had receiv'd that Charge "from the King with ſo notable circumſtances of Truſt and "Favour, to continue the poſſeſſion thereof againſt his expreſs "Pleaſure, there being a Clauſe in this Grant, that it ſhould be "only during ſuch time as his Majeſty thought fit to uſe his "Service; and ſo, "Utterly refuſing to meddle further in it; aſſoon as they could get the Houſes together the next morning, they eaſily agreed to paſs an Ordinance, as they call it, "To "appoint the Earl of *Warwick* to be Admiral of that Fleet, with "as full and ample Authority, as he had before had from the "Earl of *Northumberland*. Which Ordinance, together with Letters, and Votes of encouragement to his Lordſhip and to the Officers and Sea-men, they ſpeedily ſent, by a Member of their own; who arriv'd therewith, the next morning, after Mr *Villiers* had deliver'd the King's Letter; Sr *John Pennington* in the mean time neither coming, nor ſending any further Advice.

THE Earl of *Warwick*, being thus arm'd, found himſelf Maſter of his Work; and immediately ſummon'd all the Captains, to attend him on board his Ship in Council; the which all but two did (Captain *Slingsby*, and Captain *Wake*) who, being by his Majeſty's Letters, as the reſt were, expreſly charged to yield no further Obedience to the Earl of *Warwick*, refuſed to repair to him; making themſelves ready to reſiſt any Violence, and putting their Ships in order to go out to Sea, that they might be at Liberty to attend his Majeſty's Commands; but they were ſo encompaſſed by the whole Fleet, and the dexterity of the Earl's Miniſters was ſuch, and the devotion, generally, of the Sea-men ſo tainted, and corrupted from the King's Service, that, inſtead of carrying away the Ships, the Captains themſelves were ſeiſed, taken, and carried by their own Men to the Earl; who immediately committed them to cuſtody, and ſent them up Priſoners to the Parliament. Then the Earl communicated the Ordinance, Letters, and Votes from the two Houſes, to the reſt of the Officers; of whom only two more refuſed to continue their Charge againſt the ſignification they had receiv'd from the King (Sr *John Mennes*, and Captain *Burly*) who were quickly diſcharged,

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and ſet on Shore; and the reſt, without any ſcruple or heſitation, "Oblig'd themſelves to obey the Earl of *Warwick*, in the "Service of the Parliament; ſo that the Storm was now over, and the Parliament fully, and entirely poſſeſſed of the whole Royal Navy, and Militia by Sea; for they quickly diſpoſed of two other honeſt Captains, *Kettleby*, and *Stradlin* (whom they could not corrupt) who guarded the *Iriſh* Seas; and got thoſe Ships likewiſe into their Service. And thus his Majeſty was without one Ship of his own, in his three Kingdoms, at his Devotion.

As this loſs of the whole Navy was of unſpeakable ill conſequence to the King's Affairs, and made his Condition much the leſs conſider'd by his Allies, and Neighbour Princes; who ſaw the Soveraignty of the Sea now in other hands, that were like to be more imperious upon the apprehenſion of any diſcourteſies, than regular and lawful Monarchs uſe to be; I cannot but obſerve ſome unhappy circumſtances, and accidents in this important buſineſs of the Navy, which looked like the hand of Providence to take that ſtrength, of which his Majeſty was moſt confident, out of his hands. When the reſolution of the Houſe of Commons, and the concurrence of the Lords was peremptory, and the Earl of *Northumberland* had declar'd his complyance with them, "For the ſending the Earl of *Warwick* "Admiral of that Fleet, in the place of Sr *John Pennington*, "upon whom the King depended; it was reſolv'd likewiſe by them, "That Captain *Carterit*, Controller, of his Majeſty's "Navy, a Man of great Eminency, and Reputation in Naval "Command, ſhould be Vice-Admiral; who thinking it became his near relation to his Majeſty's Service, to receive his Royal Pleaſure before he engaged himſelf in any imployment of that Nature, addreſſed himſelf for his directions. But the King, looking upon the Fleet in a manner taken from him, when another, whoſe diſaffection to his Service was very notorious, was, contrary to his expreſs Pleaſure, preſumptuouſly put into the Command of it, and his own Miniſter diſplaced for no other reaſon (his ſufficiency, and ability for Command being by all Men confeſſed) but his Zeal and Integrity to Him, would not countenance that Fleet, and that Admiral, with ſuffering an Officer of his own to Command it under the other; and therefore order'd Captain *Carteret* to decline the imployment, which he, prudently, and without noiſe, did; and thereupon, another Officer of the Navy, the Surveyor General, Captain *Batten*, a Man of very different inclinations to his Maſter, and his Service, and furious in the new fancies of Religion, was ſubſtituted in the place: Whereas if Captain *Carteret* had been ſuffer'd to have taken that Charge, his Intereſt and Reputation in the Navy was ſo great, and his dili-

gence and dexterity in Command so eminent, that it was generally believ'd, he would, against whatsoever the Earl of *Warwick* could have done, have preserv'd a Major part of the Fleet in their Duty to the King. The misfortunes which happen'd after, and are mention'd before, are not in justice to be imputed to Sr *John Pennington*; who, sure, was a very honest Gentleman, and of unshaken Faithfulness and Integrity to the King; but to the little time he had to think of it: And the perplexity he was in (besides his true Zeal to the Service) to consider that so great a work, as the recovery of the Royal Navy, was to be done by his own Personal engagement, made him look so little to his own security, that instead of taking the Fleet from the Earl of *Warwick*, he was Himself taken by the Earl, and sent to the Parliament; where the carrying over the Lord *Digby*, and some other Jealousies, had left a great arrear of displeasure against him.

THE truth is, the King was so confident upon the general Affections of the Sea-men, who were a Tribe of People more particularly countenanced and oblig'd by him, than other Men, his Majesty having increased their allowance, in Provision and Money, above the old establishment of the Navy, as hath been mention'd; that he did believe no Activity of ill Officers could have corrupted them; but that, when the Parliament had set out and Victualled the Fleet, it would, upon any occasion, declare it self at his Devotion. But, on the other side, they had been taught to believe, that all the King's bounty, and grace towards them, had flow'd from the mediation of those Officers, who were now engaged against the King; and that, the Parliament having seised the Customs, and all other the Revenues of the Crown, they had no other hope of Pay or Subsistence, but by absolutely devoting themselves to their Service: so that a greater, or more general defection of any one Order of Men was never known, than that, at this time, of the Sea-men; though many Gentlemen, and some few of the Common sort, to their lasting Honour and Reputation, either addressed themselves to the Active Service of their Soveraign, or suffer'd Imprisonment, and the loss of all they had, for refusing to serve against him.

THE News of this diminution of his Majesty's Power, and terrible addition of Strength to his Enemies, was a great allay to the brisk hopes at *York*, upon the arrival of their Ammunition; and Wise Men easily discern'd the fatal Consequence of it in opposition to the King's most hopeful designs: yet, in a very short time, all visible sense of it so much vanish'd, that (as there was a marvellous alacrity, at that time, in despising all advantages of the Parliament) some Men publickly, and with great confidence, averr'd, "That the King was a Gainer

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"by the loſs of his Fleet; becauſe he had no Money to Pay "the Sea-men, or keep them together; and that one Victory "at Land, of which there was no doubt, would reſtore him "to his Dominion at Sea, and to whatſoever had been un-"juſtly taken from his Majeſty.

THE King found it was now time to do more than write Declarations, when the Parliament was now entirely poſſeſſed of the Militia by Sea, and made ſuch a progreſs in the attempt to obtain the ſame at Land, that though the People generally (except in great Towns and Corporations, where, beſides the natural Malignity, the Factious Lecturers, and Emiſſaries from the Parliament, had poyſon'd their Affections) and eſpecially thoſe of Quality, were Loyally inclined; yet, the terror of the Houſe of Commons was ſo great, which ſent for and grievouſly puniſhed thoſe Sheriffs and Mayors, who publiſhed, according to their Duties and expreſs Oaths, his Majeſty's Proclamation, and thoſe Miniſters, who, according to his Injunctions, read and divulged his Declarations, that all ſuch, and, indeed, all others eminently affected to the King, were forced to fly to *York* for Protection; or to hide themſelves in Corners from that Inquiſition, which was made for them. And therefore his Majeſty, in the firſt place, that he might have one Harbour to reſort to in his Kingdom, ſent the Earl of *New-Caſtle*, privately, with a Commiſſion to take the Government of *New-Caſtle*; who againſt the little oppoſition, that was prepared by the Schiſmatical Party in the Town, by his Lordſhip's great Intereſts in thoſe parts, the ready complyance of the beſt of the Gentry, and the general good Inclinations of the place, ſpeedily and dextrouſly aſſur'd that moſt important rich Town, and Harbour to the King; which, if it had been omitted but very few days, had been ſeiſed on by the Parliament; who had then given direction to that purpoſe. Then for the Protection of the general parts of the Kingdom, and keeping up their Affections, his Majeſty appointed and ſent many of the Nobility and prime Gentlemen of the ſeveral Counties, who attended him, into their reſpective Counties to execute the Commiſſion of Array; making the Marquis of *Hertford*, by Commiſſion under the Great Seal of *England* (which he was to keep ſecret in reſerve, till he found, either by the growth, or extraordinary practice of the Parliament in raiſing Forces, that the Commiſſion of Array was not enough) "His Lieute-"nant General of all the Weſtern Parts of the Kingdom, with "Power to Levy ſuch a Body of Horſe and Foot, as he found "neceſſary for his Majeſty's Service, and the containing the "People within the limits of their Duty. With the Marquis went the Earl of *Bath* (thought then to be in notable Power and Intereſt in *Devonſhire*) the Lord *Pawlet*, the Lord *Seymour*, Sr *Ralph*

Sr *Ralph Hopton*, Sr *John Berkley*, Sr *Hugh Pollard*, and others, very good Officers, to form and Array if it ſhould be found expedient. And ſo, much of the luſtre of the Court being abated, by the remove of ſo many Perſons of Honour and Quality, the King began to think of encreaſing, and forming his Train into a more uſeful poſture, than it was yet; and, without any noiſe of raiſing an Army, to make the Scene of his firſt Action to be the recovery of *Hull* (whither new Forces were ſent from *London*) by the ordinary Forces and Train'd-bands of that County; by colour whereof, he hoped to have ſuch reſort, that he ſhould need no other induſtry to raiſe ſuch an Army, as ſhould be ſufficient to preſerve himſelf from the violence, which thteaten'd his ſafety; and accordingly, that the People might fully underſtand his intentions, he ſummon'd ſome of the Train'd-bands to attend him at *Beverly*, a Town within four Miles of *Hull*; whither he remov'd his Court, and publiſh'd a Proclamation, briefly containing, "The Rebellion "of Sr *John Hotham*, in holding that Town by a Garriſon "againſt him; his demanding Juſtice from the two Houſes "without effect; the ſeiſing his Fleet at Sea; and the hoſtile "Acts of Sr *John Hotham* upon the Inhabitants of that Town, "many of whom he turn'd out of their Habitations; and upon "the Neighbour County, by impriſoning many, and driving "others for fear from their Houſes: and therefore that he "was reſolv'd to reduce the ſame by Force; inhibiting all "Commerce or Traffick with the ſaid Town, whilſt it con-"tinued in Rebellion.

The King's Proclamation from Beverly.

WHICH Proclamation he likewiſe ſent to both Houſes of "Parliament, with this further ſignification, "That, before he "would uſe force to reduce that place to it's due Obedience, "he had thought fit, once more, to require them, that it "might be forthwith deliver'd to him; wherein if they ſhould "conform themſelves, his Majeſty would be then willing to ad-"mit ſuch Addreſſes from them, and return ſuch Propoſitions "to them, as might be proper to ſettle the Peace of the King-"dom, and compoſe the preſent Diſtractions. He wiſhed "them to do their Duty, and to be aſſured from Him, on the "word of a King, that nothing ſhould be wanting on His "part, that might prevent the Calamities which threaten'd "the Nation, and might render his People truly happy; but "if that his gracious Invitation ſhould be declin'd, God and "all Good Men muſt judge between them: And aſſign'd a Day, by which he would expect their Anſwer at *Beverly*.

IN the mean time, to encourage the good Affections of *Nottingham-ſhire*, which ſeem'd almoſt intirely to be devoted to his Service; and to countenance and give ſome Life to his Friends in *Lincoln-ſhire*, where in Contempt, of his Proclamation,

tion, the Ordinance of the Militia had been boldly executed by the Lord *Willoughby* of *Parham*, and some Members of the House of Commons, his Majesty took a short Progress to *Newark*; and, after a days stay, from thence to *Lincoln*; and so, by the day appointed, return'd to *Beverly*; having, in both those places, been attended with such an Appearance of the Gentlemen, and Men of Quality, and so full a Concourse of the People, as one might reasonably have guessed the Affections of both those Counties would have seconded any just, and regular Service for the King.

THEY at *London* were not less Active; but, upon their Success in the business of the Navy, proceeded to make themselves strong enough, at least, to keep what they had; and therefore, having, by their Ordinance of the Militia, many voluntary Companies form'd of Men according to their own Hearts; and, by their Subscriptions, being supplied with a good stock of Money, and a good number of Horse; before the King's Message from *Beverly* came to them, on the twelfth of *July*, being the same day the Message went from the King, both Houses Voted, and Declared, "That an Army should "be forthwith raised for the Safety of the King's Person; De- "fence of both Houses of Parliament, and of those, who had "obey'd their Orders, and Commands; and preserving of the "true Religion, the Laws, Liberty, and Peace of the King- "dom. That the Earl of *Essex* should be their General, and "that they would Live and Die with him. And, having put themselves into this posture of Treating, the same day they agreed that a Petition should be framed, "To move the "King to a good accord with the Parliament, to prevent a "Civil War; the which was purposely then consented to, that the People might believe, the talk of an Army and a General, was only to draw the King to the more reasonable Concessions. And it is certain, the first was consented to by many, especially of the House of Peers (in hope the better to compass the other) with the perfect horrour of the thought of a War. Though the King's Message came to them before their own was dispatch'd, yet, without the least notice taken of it, and lest the contents of their Petition might be known before the arrival of their own Messengers, the Earl of *Holland*, Sr *John Holland*, and Sr *Philip Stapleton*, being the Committee appointed for the same, made a speedy and quick Journey for *Beverly*; and arriv'd, in the same minute that the King came thither from *Lincoln*: So that his Majesty no sooner heard of the raising an Army, and declaring a General against him, but he was encounter'd with the Messengers for Peace; who reported to all whom they met, and with whom they conversed, "That they had brought so absolute a Sub-

The Votes of both Houses for raising an Army.

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"mission from the Parliament to the King, that there could "be no doubt of a firm and happy Peace: And when the Earl of *Holland* presented the Petition, he first made a short Speech to the King; telling him, "That the glorious Motto "of his blessed Father, King *James*, was *Beati Pacifici*, which "he hoped his Majesty would continue; that they presented "him with the humble Duty of his two Houses of Parlia- "ment, who desired nothing from him but his consent, and "acceptance of Peace; they aiming at nothing but his Ma- "jesty's Honour, and Happiness: And then read their Message aloud, in these words:

The Parliament's Petition to the King at Beverly July 15. 1642.

To the King's most Excellent Majesty; The humble Petition of the Lords and Commons assembled in Parliament.

"May it please your Majesty:

"ALTHOUGH We, your Majesty's most humble and "faithful Subjects, the Lords and Commons in Parliament as- "sembled, have been very unhappy in many former Peti- "tions, and Supplications to your Majesty; wherein we have "represented our most dutiful Affections in advising, and de- "siring those things, which we held most necessary for the "preservation of God's true Religion; your Majesty's Safety, "and Honour; and the Peace of the Kingdom: And, with "much sorrow, do perceive that your Majesty, incensed by "many false Calumnies and Slanders, doth continue to raise "Forces against Us, and your other Peaceable and Loyal Sub- "jects; and to make great Preparations for War, both in the "Kingdom, and from beyond the Seas; and, by Arms and "Violence, to over-rule the Judgment and Advice of your "Great Council; and by Force to determine the Questions "there depending, concerning the Government and Liberty "of the Kingdom: Yet, such is our earnest desire of discharg- "ing our Duty to your Majesty and the Kingdom, to preserve "the Peace thereof, and to prevent the Miseries of Civil "War amongst your Subjects; that, notwithstanding we "hold our selves bound to use all the means and power, "which, by the Laws and Constitutions of this Kingdom, we "are trusted with for Defence and Protection thereof, and "of the Subjects from Force and Violence: We do, in this "our Humble and Loyal Petition, prostrate our selves at "your Majesty's Feet; beseeching your Royal Majesty, that "you will be pleased to forbear and remove all Prepara- "tions and Actions of War; particularly the Forces from "about *Hull*, from *New-Castle*, *Tinmouth*, *Lincoln*, and *Lincoln- "shire*; and all other places. And that your Majesty will "recall the Commissions of Array, which are illegal; dismiss "Troops, and extraordinary Guards by you raised: That

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"your Majesty will come nearer to your Parliament, and "hearken to their faithful Advice and humble Petitions; "which shall only tend to the defence, and advancement of "Religion; your own Royal Honour, and Safety; and the "preservation of our Laws and Liberties. And we have "been, and ever shall be, careful to prevent, and punish all "Tumults, and seditious Actions, Speeches, and Writings, "which may give your Majesty just cause of distaste, or ap- "prehension of danger. From which publick Aims and Re- "solutions, no sinister or private respect shall ever make us "to Decline. That your Majesty will leave Delinquents to "the due course of Justice; and that nothing done, or spoken "in Parliament, or by any Person, in pursuance of the Com- "mand and Direction of both Houses of Parliament, be que- "stion'd any where but in Parliament.

"AND We, for Our parts, shall be ready to lay down all "those Preparations, which we have been forced to make for "our defence. And for the Town of *Hull*, and the Ordinance "concerning the Militia, as we have, in both these Particu- "lars, only sought the preservation of the Peace of the King- "dom; and the defence of the Parliament from force and vio- "lence: so We shall most willingly leave the Town of *Hull* "in the state it was, before Sr *John Hotham* drew any Forces "into it; delivering your Majesty's Magazine into the Tower "of *London*, and supplying whatsoever hath been disposed "by us for the Service of the Kingdom. We shall be ready to "settle the Militia by a Bill, in such a way as shall be honou- "rable, and safe for your Majesty; most agreeable to the Duty "of Parliament, and effectual for the Good of the Kingdom; "that the strength thereof be not imploy'd against it self, and "that which ought to be for our Security, applied to our De- "struction; and that the Parliament, and those who profess, "and desire still to preserve the Protestant Religion, both in "this Realm, and in *Ireland*, may not be left naked, and in- "defensible to the mischievous Designs, and cruel Attempts "of those, who are the professed, and confederated Enemies "thereof in your Majesty's Dominions, and other neighbour "Nations. To which if your Majesty's Courses and Counsels "shall from henceforth concur, We doubt not but We shall "quickly make it appear to the world, by the most eminent "effects of Love and Duty, that your Majesty's Personal Safe- "ty, your Royal Honour, and Greatness, are much dearer "to us than our own Lives and Fortunes; which We do most "heartily dedicate, and shall most willingly imploy for the sup- "port, and maintenance thereof.

ASSOON as this Petition was read by the Earl of *Holland* the

the King told them "That the reproaches cast upon him by "it, were not answerable to the Expressions his Lordship had "made; and that he was sorry that they thought the exposing "Him, and his Honour to so much scandal, was the way to "procure, or preserve the Peace of the Kingdom: That they "should speedily receive his Answer; by which the world "would easily discern, Who desired Peace most. And accordingly, the second day, his Majesty deliver'd them, in publick, his Answer to their Petition, which was likewise read by one of his Servants, in these Words:

His Majesty's Answer.

His Majesty's Answer to the Petition of the Lords and Commons assembled in Parliament.

"THOUGH his Majesty had no great reason to believe "that the directions sent to the Earl of *Warwick*, to go to the "River *Humber*, with as many Ships as he should think fit, "for all possible assistance to Sr *John Hotham* (whilst his Ma-"jesty expected the giving up of the Town unto him) and to "carry away such Arms from thence, as his discretion thought "fit to spare out of his Majesty's own Magazine: The choos-"ing a General by both Houses of Parliament, for the de-"fence of those who have obey'd their Orders and Commands, "be they never so extravagant, and illegal: Their Declara-"tion, that, in that case, they would live and die with the "Earl of *Essex* their General (all which were Voted the same "day with this Petition) And the committing the Lord Mayor "of *London* to Prison, for executing his Majesty's Writs, and "Lawful Commands; were but ill Prologues to a Petition, "which might compose the miserable Distractions of the "Kingdom; yet his Majesty's passionate desire of the Peace "of the Kingdom, together with the Preface of the Presen-"ters, That they had brought a Petition full of duty and sub-"mission to his Majesty; and which desir'd nothing of him, "but his consent to Peace (which his Majesty conceiv'd to be "the Language of both Houses too) begot a greedy hope, and "expectation in him, that this Petition would have been such "an Introduction to Peace, that it would, at least, have sa-"tisfied his Message of the eleventh of this Month, by deli-"vering up *Hull* unto his Majesty. But, to his unspeakable "grief, his Majesty hath too much cause to believe, that the "End of some Persons, by this Petition, is not in truth to give "any real satisfaction to his Majesty; but, by the specious "pretences of making offers to him, to mislead and seduce "his People, and lay some imputation upon him of denying "what is fit to be granted; otherwise, it would not have "thrown those unjust reproaches, and scandals upon his Ma-"jesty, for making a necessary and just defence for his own

"safety;

"ſafety; and ſo peremptorily juſtified ſuch Actions againſt "him, as by no rule of Law or Juſtice can admit the leaſt co- "lour of defence: And, after ſo many free and unlimited Acts "of Grace paſſed by his Majeſty without any condition, have "propoſed ſuch things which, in juſtice cannot be denied "unto him, upon ſuch conditions as, in honour, he cannot "grant. However, that all the world may ſee how willing "his Majeſty would be to embrace any overture, that might "beget a right underſtanding between Him and his two "Houſes of Parliament (with whom, he is ſure, he ſhall have "no contention, when the private practices, and ſubtle in- "ſinuations of ſome few Malignant Perſons ſhall be diſco- "ver'd; which his Majeſty will take care ſhall be ſpeedily "done) he hath, with great care, weighed the Particulars of "this Petition, and returns this Anſwer:

"THAT the Petitioners were never unhappy in their Pe- "tions or Supplications to his Majeſty, while they deſired "any thing which was neceſſary, or convenient for the pre- "ſervation of God's true Religion; his Majeſty's Safety, and "Honour; and the Peace of the Kingdom: And therefore, "when thoſe general envious Foundations are laid, his Ma- "jeſty could wiſh ſome particular Inſtances had been applied. "Let Envy and Malice object one particular Propoſition for "the preſervation of God's true Religion which his Majeſty "hath refuſed to conſent to; what Himſelf hath often made, "for the eaſe of tender Conſciences, and for the advancement "of the Proteſtant Religion, is notorious by many of his Meſ- "ſages and Declarations. What regard hath been to his Ho- "nour and Safety, when he hath been driven from ſome of his "Houſes, and kept from other of his Towns by Force: And "what care there hath been of the Peace of the Kingdom, when "endeavours have been uſed to put all his Subjects in Arms "againſt him, is ſo evident, that, his Majeſty is confident, he "cannot ſuffer by thoſe general Imputations. It is enough that "the world knows what he hath granted, and what he hath "denied.

"FOR his Majeſty's raiſing Forces, and making Prepara- "tions for War (whatſoever the Petitioners, by the evil Arts "of the Enemies to his Majeſty's Perſon and Government, "and by the calumnies, and ſlanders raiſed againſt his Majeſty "by them, are induced to believe) all Men may know what is "done that way, is but in order to his own defence. Let the "Petitioners remember, that (which all the world knows) "his Majeſty was driven from his Palace of *White-Hall*, for "ſafety of his Life: That both Houſes of Parliament, upon "their own Authority, raiſed a Guard to themſelves (having "gotten the Command of all the Train'd-bands of *London* to

"that

"that purpoſe) without the leaſt colour, or ſhadow of danger:
"That they uſurped a Power, by their pretended Ordinance,
"againſt all Principles and Elements of Law, over the whole
"Militia of the Kingdom, without, and againſt his Majeſty's
"conſent: That they took poſſeſſion of his Town, Fort, and
"Magazine of *Hull*, and committed the ſame to Sr *John Ho-*
"*tham*; who ſhut the Gates againſt his Majeſty, and, by Force
"of Arms, denied entrance thither to his own Perſon: That
"they juſtified this Act which they had not directed; and took
"Sr *John Hotham* into their protection for whatſoever he had
"done, or ſhould do againſt his Majeſty. And all this, whilſt
"his Majeſty had no other attendance than his own Menial
"Servants. Upon this, the Duty, and Affection of this Coun-
"ty, prompted his Subjects here to provide a ſmall Guard for
"his own Perſon; which was no ſooner done, but a Vote
"ſuddainly paſſed of his Majeſty's intention to levy War
"againſt his Parliament (which, God knows, his heart abhor-
"reth) and notwithſtanding all his Majeſty's Profeſſions, De-
"clarations, and Proteſtations to the contrary, ſeconded by
"the clear Teſtimony of ſo great a Number of Peers upon the
"place, Propoſitions and Orders for Levies of Men, Horſe,
"and Arms, were ſent throughout the Kingdom; Plate and
"Money brought in, and receiv'd; Horſe and Men raiſed to-
"wards an Army, Muſter'd, and under Command; and all
"this contrary to the Law, and to his Majeſty's Proclama-
"tion: And a Declaration publiſhed, that if he ſhould uſe
"Force for the recovery of *Hull*, or ſuppreſſing the pretended
"Ordinance for the Militia, it ſhould be held levying War
"againſt the Parliament: And all this done, before his Ma-
"jeſty granted any Commiſſion for the levying, or raiſing a
"Man. His Majeſty's Ships were taken from him, and com-
"mitted to the cuſtody of the Earl of *Warwick*; who preſumes,
"under that power, to uſurp to himſelf the Soveraignty of the
"Sea, to chaſe, fright, and impriſon ſuch of his Majeſty's good
"Subjects, as deſire to obey his Lawful Commands; although
"he had notice of the legal Revocation of the Earl of *Nor-*
"*thumberland*'s Commiſſion of Admiral, whereby all power
"deriv'd from that Commiſſion ceaſed.

"LET all the world now judge who begun this War, and
"upon whoſe account the miſeries, which may follow, muſt
"be caſt; what his Majeſty could have done leſs than he hath
"done; and whether he were not compell'd to make provi-
"ſion, both for the defence of himſelf and recovery of what is
"ſo violently, and injuriouſly taken from him; and whether
"theſe injuries and indignities, are not juſt grounds for his
"Majeſty's fears and apprehenſions of further miſchief, and
"danger to him. Whence the fears and jealouſies of the Peti-

"tioners

"tioners have proceeded, hath never been discover'd; the dan-
"gers they have brought upon his Subjects are too evident;
"what those are they have prevented, no Man knows. And
"therefore his Majesty cannot but look upon that Charge as
"the boldest, and the most scandalous, hath been yet laid upon
"him; That this necessary provision, made for his own safety
"and defence, is to overrule the Judgment, and advice of
"his great Council; and by force to determine the Questions
"there depending, concerning the Government and Liber-
"ty of the Kingdom. If no other force had been raised to de-
"termine those Questions, than by his Majesty, this unhappy
"misunderstanding had not been: And his Majesty no longer
"desires the blessing, and protection of Almighty God up-
"on Himself and his Posterity, than He, and They, shall so-
"lemnly observe the due execution of the Laws, in the de-
"fence of Parliaments, and the just Freedom thereof.

"FOR the Forces about *Hull*, his Majesty will remove
"them, when he hath obtain'd the End for which they were
"brought thither. When *Hull* shall be again reduc'd to his sub-
"jection, he will no longer have an Army before it. And when
"he shall be assur'd, that the same Necessity and Pretence of
"Publick Good, which took *Hull* from him, may not put a
"Garrison into *New-Castle* to keep the same against him, he
"will remove His from thence, and from *Tinmouth*; 'till when,
"the example of *Hull* will not out of his memory.

"FOR the Commissions of Array, which are legal, and are
"so proved by a Declaration now in the Press, his Majesty
"wonders why they should, at this time, be thought grievous,
"and fit to be recall'd; if the fears of Invasion and Rebellion
"be so great, that, by an illegal pretended Ordinance, it is ne-
"cessary to put his Subjects into a posture of defence, to Ar-
"ray, Train, and Muster them, he knows not why the same
"should not be done in a regular, known, lawful way. But if,
"in the execution of that Commission, any thing shall be un-
"lawfully imposed upon his good Subjects, his Majesty will
"take all just, and necessary care for their redress.

"FOR his Majesty's coming nearer to his Parliament, his
"Majesty hath expressed himself so fully in his several Mes-
"sages, Answers, and Declarations; and so particularly a-
"vow'd a real fear of his safety, upon such instances as cannot
"be Answer'd, that he hath reason to take himself somewhat
"neglected, That, since upon so manifest reasons it is not safe
"for his Majesty to come to them, both his Houses of Parlia-
"ment will not come nearer to his Majesty; or to such a place
"where the freedom, and dignity of Parliament might be pre-
"served. However, his Majesty shall be very glad to hear of
"some such example in their punishing the Tumults (which
"he knows not how to expect, when they have declar'd, That

"they knew not of any Tumults; though the House of Peers "desir'd, both for the Freedom and dignity of Parliament, that "the House of Commons would joyn with them in a Declara- "tion against Tumults; which they refused, that is, neglected "to do) and other seditious Actions, Speeches, and Writings, "as may take that apprehension of danger from him; though, "when he remembers the particular complaints Himself hath "made of businesses of that nature, and that, instead of inqui- "ring out the Authors, neglect of examination hath been, when "offer hath been made to both Houses to produce the Authors; "as in that Treasonable Paper concerning the Militia: And "when he sees every day Pamphlets published against his "Crown, and against Monarchy it self; as the Observations "upon his late Messages, Declarations, and Expresses; and "some Declarations of their own, which give too great encou- "ragement, in that Argument, to ill affected Persons; his Ma- "jesty cannot, with confidence, entertain those hopes which "would be most welcome to him.

"For the leaving Delinquents to the due course of Justice, "his Majesty is most assured there hath been no shelter to any "such. If the tediousness and delay in prosecution, the vast "charge in Officers fees, the keeping Men under a General "accusation, without Tryal, a whole year and more, and so al- "lowing them no way for their defence and vindication, hath "frighten'd Men away from so chargeable and uncertain at- "tendance, the Remedy is best provided, where the Disease "grew. If the Law be the measure of Delinquency, none Such "are within his Majesty's Protection: But if by Delinquents "such are understood, who are made so by Vote, without any "Trespass upon any known, or establish'd Law: If by Delin- "quents those nine Lords are understood, who are made De- "linquents for obeying his Majesty's Summons to come to "him, after their stay there was neither safe, nor honourable, "by reason of the Tumults, and other Violences; and whose "Impeachment, he is confident, is the greatest breach of Pri- "vilege, that, before this Parliament, was ever offer'd to the "House of Peers: If by Delinquents such are understood, who "refuse to submit to the pretended Ordinance of the Militia; "to that of the Navy; or to any other, which his Majesty hath "not consented to; such who for the Peace of the Kingdom, "in an humble manner, prepare Petitions to Him, or to both "Houses, as his good Subjects of *London* and *Kent* did; whilst "seditious ones, as that of *Essex*, and other places, are allow'd "and cherish'd: If by Delinquents such are understood, who "are call'd so for publishing his Proclamations, as the Lord "Mayor of *London*; or for reading his Messages and Declara- "tions, as divers Ministers about *London* and elsewhere; when "those against him are dispersed with all care and industry, to

"poyson

"poyſon and corrupt the Loyalty and Affection of his Peo-
"ple: If by Delinquents ſuch are underſtood, who have, or
"ſhall lend his Majeſty Money, in the Univerſities, or in any
"other places: His Majeſty declares to all the world That he
"will protect Such with his utmoſt power and Strength; and
"directs, that, in theſe caſes, they ſubmit not to any Meſſen-
"gers, or Warrant; it being no leſs his Duty to Protect thoſe
"who are innocent, than to bring the Guilty to condign Pu-
"niſhment; of both which the Law is to be judge. And if
"both Houſes do think fit to make a General, and to raiſe an
"Army for defence of thoſe who obey their Orders, and
"Commands, his Majeſty muſt not ſit ſtill, and ſuffer ſuch who
"ſubmit to his juſt power, and are ſollicitous for the Laws of
"the Land, to periſh, and be undone, becauſe they are called
"Delinquents: And when They ſhall take upon them to di-
"ſpenſe with the attendance of thoſe who are call'd by his
"Majeſty's Writ, whilſt they ſend them to Sea, to rob his Ma-
"jeſty of his Ships; or into the ſeveral Counties, to put his
"Subjects in Arms againſt him; his Majeſty (who Only
"hath it) will not loſe the power to diſpenſe with them to at-
"tend his own Perſon; or to execute ſuch Offices as are neceſ-
"ſary for the preſervation of Himſelf, and the Kingdom; but
"muſt protect them, though they are call'd Delinquents.

"FOR the Manner of the proceeding againſt Delinquents,
"his Majeſty will proceed againſt thoſe who have no Privilege
"of Parliament, or in ſuch caſes where no Privilege is to be
"allow'd, as he ſhall be adviſed by his Learned Council, and
"according to the known, and unqueſtionable Rules of the
"Law; it being unreaſonable, that he ſhould be compell'd to
"proceed againſt thoſe who have violated the known and un-
"doubted Law, only before Them who have directed ſuch
"violation.

"HAVING ſaid thus much to the Particulars of the Peti-
"tion, though his Majeſty hath reaſon to complain, that, ſince
"the ſending this Petition, they have beaten their Drums for
"Soldiers againſt him; Arm'd their own General with a power
"deſtructive to the Law, and Liberty of the Subjects; and
"choſen a General of their Horſe: His Majeſty, out of his
"Princely love, tenderneſs, and compaſſion of his People, and
"deſire to preſerve the Peace of the Kingdom, that the whole
"force and ſtrength of it may be united for the defence of it
"ſelf, and the relief of *Ireland* (in whoſe behalf he conjures
"both his Houſes of Parliament, as they will anſwer the con-
"trary to Almighty God, his Majeſty, to thoſe who truſt
"them, and to that bleeding miſerable Kingdom, that they
"ſuffer not any Moneys granted, and collected by Act of Par-
"liament, to be diverted or imploy'd againſt his Majeſty;
"whilſt his Soldiers in that Kingdom are ready to mutiny, or

"periſh for want of pay; and the barbarous Rebels prevail by "that encouragement) is graciouſly pleaſed once more, to "propoſe and require.

"THAT His Town of *Hull* be immediately deliver'd up "to him: Which being done (though his Majeſty hath been "provoked by unheard of Inſolences of Sr *John Hotham's*, "ſince his burning and drowning the Country, in ſeizing his "Wine, and other proviſions for his Houſe, and ſcornfully "uſing his Servant, whom he ſent to require them; ſaying, "it came to him by Providence, and he will keep it; and ſo "refuſing to deliver it, with threats if he, or any other of his "fellow Servants, ſhould again repair to *Hull* about it; and "in taking, and detaining Priſoners, divers Gentlemen, and "others, in their paſſage over the *Humber* into *Lincoln-ſhire* "about their neceſſary occaſions; and ſuch other indignities, "as all Gentlemen muſt reſent in his Majeſty's behalf) his Ma-"jeſty, to ſhew his earneſt deſire of Peace, for which he will "diſpenſe with his own Honour, and how far he is from de-"ſire of Revenge, will grant a free and general Pardon to all "Perſons within that Town.

"THAT his Majeſty's Magazine, taken from *Hull*, be forth-"with put into ſuch hands, as He ſhall appoint.

"THAT his Navy be forthwith deliver'd into ſuch hands, "as he hath directed for the Government thereof: The de-"taining thereof after his Majeſty's Directions, publiſh'd and "receiv'd, to the contrary; and imploying his Ships againſt "him in ſuch manner, as they are now uſed, being notorious "High Treaſon in the Commanders of thoſe Ships.

"THAT all Arms, Levies, and Proviſions for a War, "made by the conſent of both Houſes (by whoſe Example his "Majeſty hath been forced to make ſome Preparations) be im-"mediately laid down; and the pretended Ordinance for the "Militia, and all power of impoſing Laws upon the Subject "without his Majeſty's conſent, be diſavow'd; without which, "the ſame Pretence will remain to produce the ſame Miſchief. "All which his Majeſty may as lawfully demand as to live, "and can with no more juſtice be denied him, than his Life "may be taken from him.

"THESE being done, and the Parliament adjourn'd to a "ſafe and ſecure place, his Majeſty promiſes, in the preſence "of God, and binds himſelf by all his Confidence and Aſ-"ſurance in the Affection of his People, that he will inſtantly, "and moſt chearfully, lay down all the Force he ſhall have "raiſed, and diſcharged all his future and intended Levies; that "there may be a general face of Peace over the whole King-"dom; and will repair to them: And deſires, that all Diſ-"ferences may be freely debated in a Parliamentary way; "whereby the Law may recover it's due reverence, the Sub-

"ject

"ject his juſt Liberty, and Parliaments themſelves their full "Vigour and Eſtimation; and ſo the whole Kingdom a bleſſed "Peace, Quiet, and Proſperity.

"If theſe Propoſitions ſhall be rejected, his Majeſty doubts "not of the Protection and Aſſiſtance of Almighty God, and "the ready Concurrence of his good Subjects; who can have "no hope left them of enjoying their own long, if their King "may be oppreſſed, and ſpoiled, and muſt be remedileſs. And "though his Towns, his Ships, his Arms, and his Money, "be gotten, and taken from him, he hath a good Cauſe left, "and the Hearts of his People; which, with God's bleſſing, "he doubts not, will recover all the reſt.

"Lastly, If the preſervation of the Proteſtant Religion, "the defence of the Liberty and Laws of the Kingdom, the "Dignity and Freedom of Parliament; and the recovery, and "the relief of bleeding and miſerable *Ireland*, be equally pre- "cious to the Petitioners, as they are to his Majeſty (who will "have no Quarrel but in the defence of theſe) there will be a "chearful and ſpeedy conſent to what his Majeſty hath now "propoſed, and deſir'd: And of this his Majeſty expects a full "and poſitive Anſwer, by *Wedneſday* the 27th of this Inſtant "*July*; till when, he ſhall not make any attempt of Force up- "on *Hull*, hoping in the Affection, Duty, and Loyalty of the "Petitioners: And in the mean time, expects that no ſupply "of Men be put into *Hull*; nor any of his Majeſty's Goods "taken from thence.

The whole Court, upon the hearing that Petition from the two Houſes read, expreſſed a marvellous Indignation at the intolerable Indignities offer'd to the King by it; and ſeem'd no better ſatisfied with the Meſſengers; who had profeſſed, that they brought an abſolute ſubmiſſion to his Majeſty; when in truth, what they brought, appear'd to be a full Juſtification of whatſoever they had done before, and an imply'd Threat of doing worſe, and fixing all the ſcandals upon his Majeſty, which they had ſcatter'd abroad before: inſomuch that all Men expected, and believ'd his Majeſty to be engaged, for the vindication of his Princely Dignity and Honour, to return a much ſharper Anſwer to them, then he had ever ſent. So that, when this which is before ſet down (and which had been before conſented to, and approv'd in the full Aſſembly of the Peers, and Counſellors (was read publickly, it was generally thought that the King had not enough reſented the Inſolence, and, Uſurpation of the Parliament; or appear'd ſenſible enough of the Provocations: Yet the thought of a War, which Wiſe Men ſaw actually Levied upon the King already, was ſo much abhorr'd, and Men were ſo credulous of every expedient which was pretended for Peace, that, by the next morning

(the Answer being deliver'd in the evening) these active Messengers for the Parliament perswaded many "That the King's "Answer was too sharp, and would provoke the Houses, who "were naturally passionate, to proceed in the high ways they "were in; whereas, if the King would abate that severity of "Language, and would yet take off the Preamble of his An- "swer, they were confident, and the Earl of *Holland* privately "offer'd to undertake, that satisfaction should be given to all "that his Majesty proposed. And, by this means, some were so far wrought upon, as they earnestly importun'd the King, "That he would take his Answer, which he had publickly de- "liver'd the night before, from the Messengers; and, instead "thereof, return only the Matter of his own Propositions, in "the most soft and gentle Language; without the Preamble, "or any mention of the unjustifiable, and unreasonable de- "meanour of the Parliament towards him.

But his Majesty reply'd, "That he had for a long time, "even after great provocations, and their first general Remon- "strance to the People, treated with all imaginable compliance, "and lenity of words with them; and discover'd their unjusti- "fiable and extravagant proceedings with and against him, and "the consequences that would inevitably attend their Progress "in them, with such tender expressions, as if he believ'd "whatever was amiss to proceed from misinformation only, "and unskilful mistakes: That this gentleness, and regard of "his, was so far from operating upon them, that their Inso- "lence, and Irregularities increased; and it might be from that "reason, that their Messages and Declarations were writ in so "high a Dialect, and with that Soveraignty of Language, as if "He were subject to Their Jurisdiction; and did not know "but it might have some influence upon his People to his dis- "advantage, that is, raise terror towards Them, and lessen "their reverence towards his Majesty, when all their Petitions "and Propositions were more Imperative than His just, and "necessary Refusals: Which Condescension his Majesty had "brought himself to, in hope, that His example, and Their "natural shame, would have reform'd that new Licence of "words: That this last Address, under the name of a Petition "(a few days after they had violently ravish'd his whole Fleet "from Him; and prepar'd the same day, that they had chosen "a General, to whom they had sworn Allegiance, to lead an "Army against him) contain'd a peremptory Justification of "whatsoever they had done: and as peremptory Threatning "of whatsoever they could do: and therefore, if he should "now retract his Answer, which had been solemnly consider'd "in Council before all the Peers, and which in truth implied "rather a Princely resentment of the Indignities offer'd to him, "than flow'd with any sharp or bitter Expressions, he should

"by

"by such yielding, give encouragement to new Attempts; "and could not but much discourage those, upon whose Af- "fections and Loyalty he was principally to depend; who "could not think it safe to raise themselves to an indignation "on his behalf, when He expressed so tender, or so little sense "of his own Sufferings: besides, that he was then upon an "avow'd Hostile Enterprise for the reduction of *Hull*; towards "which he was to use all possible means to draw a Force to- "gether, equal to that Design; and by such a Retraction as this "proposed, and a seeming declension of his Spirit, and de- "pending upon their good natures, who had done all this mis- "chief, he should not only be enevitably disappointed of the "resort of new strength, but, probably, deserted by those few "whom he had brought together: That he could not reason- "ably, or excusably depend upon the undertaking of the Earl "of *Holland*; who had so grossly deceiv'd him in other under- "takings, which were immediately in his own Power to have "perform'd: whereas neither he, nor either of the other two "Gentlemen, who were joyn'd with him in this imployment, "had so much interest with the Active and Prevailing Party, "as to know more of their Intentions then was at present ne- "cessary to be discover'd for their Concurrence.

"He said, that he had never yet consented to any one par- "ticular, since the beginning of this Parliament, by which he "had receiv'd prejudice, at the doing whereof he had not the "solemn undertakings and promises of those, who were much "abler to justify their undertakings, than the Earl of *Holland*; "and upon whom he only depended, that it should be no "disservice to him, and would be an infallible means to com- "pass all that his Majesty desir'd: But he had always found "those Promisers and Undertakers, though they could emi- "nently carry on any Counsel, or Conclusion, that was against "Law, Justice, or His Right, had never Power to reduce, or "restrain those agitations within any bounds of Sobriety, and "Moderation: And when they found, that many would not "be guided by them, that they might seem still to Lead, them- "selves as furiously Follow'd the others; and resorted again to "his Majesty with some new Expedient, as destructive as the "former. So that he was resolv'd to rely upon God Almighty, "and not so much to depend upon what might possibly pre- "vail upon the Affections of those, from whom, reasonably, "he could not expect any good, as upon such plain and avow'd "courses, as, let the success be what it would, must, to all "judging Men, appear to be prudently, and honourably rely'd "on: And therefore he positively refused to make the least "alteration in his Answer: And so the Messenger departed, leaving the Court and Country worse affected than they found it; and branding some particular Persons, whom they found

less inclin'd to be rul'd by their professions and promises, "As "the Authors of a Civil War: And making them as odious as they could, where ever they came.

AND sure, from that time, the Earl of *Holland* was more transported from his natural temper and gentleness of disposition, into Passion and Animosity against the King, and his Ministers; and, having been nothing pleased with his own Condition at *London*, finding the Earl of *Essex* (whom he did not secretly love, and did indeed contemn) to draw all Men's Eyes towards him, and to have the greatest Interest in their Hearts, he had seriously intended, under colour of this Message to the King, to discover if there were any sparks yet left in his Royal breast, which might be kindled into affection, or acceptation of his Service; and hoped, if he could get any Credit, to redeem his former Trespasses: But when he not only found his Majesty cold towards him, but easily enough discern'd, by his reception, that all former inclinations were dead, and more than ordinary prejudices grown up towards him in their places, and that his Advices were rejected, he return'd with rancour equal to the most furious he went to; and heartily joyn'd and concurr'd towards the suppressing that Power, in the Administration whereof he was not like to bear any part.

HIS Majesty having, by his Answer, oblig'd himself not to make any forcible Attempt upon *Hull* till the 27th of *July*, by which time he might reasonably expect an Answer to his Propositions, in the mean time he resolv'd to make some short progress into the Neighbour Counties; and accordingly, the same day the Messengers departed, the King went to *Doncaster*; and the next day to *Notingham*; and so to *Leicester*; where he heard, the Earl of *Stamford*, and some other Parliament Men, were executing the Ordinance of the Militia: But, before his Majesty came thither, they remov'd themselves to *Northampton*; a Town so true to them, as, if they had been pursued, would have shut their Gates against the King himself, as *Hull* had done.

AT *Leicester* the King was receiv'd, with great expressions of Duty and Loyalty, by the appearance of the Train'd-bands, and full Acclamations of the People; yet there were two Accidents that happen'd there, which if they be at all remember'd, will manifest, that if the King were Lov'd there as he ought to be, that the Parliament was more Fear'd than He. It happen'd to be at the time of the general Assizes, and Justice *Reeve* (a Man of a good reputation for Learning, and Integrity; and who, in good Times, would have been a good Judge) sate there as Judge; and Mr *Henry Hastings*, younger Son to the Earl of *Huntington*, was purposely made High Sheriff, to contain the County within the limits of their Duty by the Power of that Office, as well as by the Interest, and Relation

of

of his Family. The Earl of *Stamford*, and his Assistants, had departed the Town but few hours before his Majesty's entrance; and had left their Magazine, which was indeed the Magazine of the County, in a little Store-house at the end of the Town, guarded by some inferior Officers whom they had brought down to Train and Exercise the Militia, and other zealous and devoted Men of the County, in all to about the Number of 25, who had barricadoed the door of the House; and professed "To keep it against all demanders; having provisions within it of all sorts. The King was very unwilling (coming in so peaceable a manner, at so peaceable a time) to take any notice of it. On the other hand, it was an Act of too great Insolence to be suffer'd; and, upon the matter, to leave a Garrison of the Rebels in possession of the Town; and therefore he sent word to the Judge "That if He took not some "legal way to remove such a Force so near his Majesty, his "Majesty would do it in some Extraordinary course: Which, upon the suddain, would have puzzled him to have done; having neither Soldier, Cannon, nor Powder to effect it; the want of which as much troubled the Sheriff. In the end, the Gentlemen of the Country, who had not yet otherwise declar'd themselves on either side, than by waiting on his Majesty, finding that the King would not go from the Town, till that Nuisance was remov'd; and that it might bring Inconveniences, Charge, and Mischief to the County of a high nature; so prevail'd, that, as his Majesty was contented to take no notice of it, so they within the House, in the night, upon assurance of Safety, and Liberty to go whither they would, removed and left the House; and so that matter was quieted.

THE other Accident was, or was like to have proved, more Ridiculous: Some of the King's Servants, hearing that the Earl of *Stamford*, and the other Militia Men were newly gone out of the Town, had of themselves coming thither before the King, Galloped after them; intending to have apprehended them, and brought them before the King; and, though the other were too Fleet for them, had, in the way, overtaken Dr *Bastwick*, a Man well known, who had been a principal Officer with them at *Leicester*, and fled at the same time, but could not keep pace with his Commanders: Him they brought to the Town, where, by the Sheriff, he was committed to Prison; having confessed enough Treason, and justifying it, as would have justly hanged any Subject. The King thought once to have had him Indicted then, at the Assizes, upon the plain Statute of 25. *Edw.* III. But the Judge besought his Majesty not to put a matter of so great moment, upon which the Power of the two Houses of Parliament, and a Parliament sitting, must be determin'd, before one single Judge, whose Reputation was not enough to bear so great a burden; however,

he

he declar'd his own opinion fully to his Majeſty, "That it was "Treaſon; which, he believ'd, all the other Judges muſt ac- "knowledge; and if Conven'd together by his Majeſty to that "purpoſe, he thought a joynt Declaration, and Reſolution of "all together might be of great uſe to the King; whereas the "publiſhing of his particular opinion could only deſtroy him- "ſelf, and nothing advance his Majeſty's Service: Beſides, "he had no reaſon to be ſo confident of the Country, as to "conclude that a Jury, then ſuddainly Summon'd, would have "Courage to find the Bill; and then their not doing it, if it "were attempted, would prove a greater countenance to the "Ordinance, than the Votes of the two Houſes had yet given "it. This laſt reaſon gave his Majeſty ſatisfaction; ſo that he was contented that the fellow ſhould be kept in Priſon, and the Tryal be deferr'd, till he could conveniently Summon more Judges to be preſent.

His Majeſty was no ſooner perſwaded to be content that this Proſecution might be ſuſpended, but the cloſe Agents for the Parliament's Service, who were not yet diſcover'd, but appear'd very entire to the King, ſo dextrouſly carried themſelves, that they prevail'd with thoſe Gentlemen of the Country, whoſe Zeal to his Majeſty was moſt eminent and unqueſtionable, and even with the Judge himſelf, "To wiſh, that his Ma- "jeſty would freely and graciouſly diſcharge the Doctor of his "Impriſonment; or give the Judge leave to do ſo upon a *Habeas Corpus* (which he was adviſed to require) "And that it "would be ſuch an Act of Mercy, and ſingular Juſtice, that "would not only work upon the People of that County to "his Majeſty's advantage, but muſt have a great influence "upon the whole Kingdom, and even upon the Parliament it "ſelf. And with this ſtrange deſire the good Judge, and thoſe principal Gentlemen, confidently came to the King, the night before he intended to return Northward. His Majeſty told them, "He would think of it till the next morning. And, in the mean time, concluding by what he heard, that though he ſhould refuſe to diſcharge him, or to conſent that he ſhould be diſcharg'd, his reſtraint would not be long in that place after His departure, the People already reſorting to him with great Licence, and the Doctor, according to his Nature, talking Seditiouſly and Loudly, he directed "A Meſſenger of the Chamber "very early, with ſuch aſſiſtance as the Sheriff ſhould give "him, to carry him away to *Nottingham*; and by the help of "that Sheriff, to the Goal at *York*: Which was executed accordingly with expedition, and ſecrecy; if either of which had been abſent, it is certain the Common People had reſcued him; which, of how trivial a moment ſoever it ſhall be thought, I could not but mention as an inſtance of the Spirit and Temper of that time, and the great Diſadvantage the King was upon,

that

that ſo many very good Men thought fit, at a time, when very many hundreds of Perſons of Honour, and Quality, were Impriſon'd with all ſtrictneſs and ſeverity by the Parliament, upon the bare ſuſpicion that they meant to go to the King, or that they wiſhed well to him, or for not ſubmitting to ſome illegal Order, or Command of Theirs, that the King ſhould diſcharge an infamous Perſon, taken in act of High-Treaſon, and who more frankly and avowedly profeſſed Sedition, than he did the Science of which he pretended to be Doctor.

THE King according to his appointment, return'd towards *Hull*, in expectation of an Anſwer from the Parliament; which came two days after the appointed day, but with no ſolemnity of Meſſengers, or other ceremony, than incloſed to one of the Secretaries to be preſented to the King, in which they told him,

"THAT they could not, for the preſent, with the diſcharge "of the Truſt repoſed in them for the ſafety of the King and "Kingdom, yield to thoſe Demands of his Majeſty: the rea- "ſon why they took into their Cuſtody the Town of *Hull*, the "Magazine, and Navy; paſſed the Ordinance of the Militia; "and made preparation of Arms; was for the ſecurity of Reli- "gion, the ſafety of his Majeſty's Perſon, of the Kingdom, and "Parliament; all which they did ſee in evident, and imminent "danger; from which when they ſhould be ſecur'd, and that "the Forces of the Kingdom ſhould not be uſed to the deſtru- "ction thereof, they ſhould then be ready to withdraw the "Garriſon out of *Hull*; to deliver the Magazine and Navy; "and ſettle the Militia, by Bill, in ſuch a way as ſhould be ho- "nourable and ſafe for his Majeſty; moſt agreeable to the du- "ty of Parliament; and effectual for the good of the King- "dom; as they had profeſſed in their late Petition. And for Ad- "journing the Parliament, they apprehended no reaſon for his "Majeſty to require it; nor ſecurity for themſelves to conſent "to it. And as for that reaſon which his Majeſty was pleaſed "to expreſs, they doubted not but the uſual place would be as "ſafe for his Royal Perſon, as any other; conſidering the full "Aſſurance they had of the Loyalty, and Fidelity of the City "of *London* to his Majeſty; and the care which his Parlia- "ment would ever have to prevent any danger which his "Majeſty might juſtly apprehend; beſides the manifold con- "veniences to be had there, beyond any other parts of the "Kingdom. And as for the laying down of Arms; when the "cauſes which moved them to provide for the defence of his "Majeſty, the Kingdom, and Parliament, ſhould be taken away, "they ſhould very willingly, and cheerfully forbear any fur- "ther Preparations, and lay down their Force already raiſed.

The Parliaments Replication July 26. 1642.

WHICH Replication, as they call'd it, to his Majeſty's Anſwer, they order'd "To be Printed, and read in all Churches "and Chappels within the Kingdom of *England*, and Dominion "of *Wales*.

AND

And so the War was now denounc'd by their expreſs Words againſt his Majeſty; as it had been long before in their Actions; and both Parties ſeem'd to give over all thoughts of further Treaties, and Overtures; and each prepar'd to make themſelves conſiderable by the ſtrength and power of ſuch Forces as they could draw together.

In *London* they intended nothing but the forming of their Army, and ſuch other things of power, as were in order thereunto. To that purpoſe, the Bill for the payment of Tonnage and Poundage being expir'd on the firſt day of *July*, and they having ſent another of the ſame nature to the King for his conſent, for ſix Months longer, his Majeſty, ſince he ſaw that, and all other Money properly belonging to him, violently taken from him, and imploy'd by them againſt him, refuſed to give his Royal Aſſent thereunto: Whereupon, without the leaſt hæſitation (albeit it had been enacted this very Parliament, "That whoſoever ſhould preſume to pay, or receive that duty, "after the expiration of the Act, before the ſame was regranted, "to his Majeſty with the conſent of the Lords and Commons, "ſhould be in a Præmunire; which is the heavieſt puniſhment inflicted by Law, but the loſs of Life) they appointed and order'd by the Power of the two Houſes (which they call'd an Ordinance of Parliament) "That the ſame duty ſhould be "continu'd; and declare that they would ſave all Perſons "concern'd, from any Penalty or Puniſhment whatſoever: By, which they now became poſſeſſed of the Cuſtoms, in their own right.

Towards ſuch, as any ways (though under the obligation of Oaths or Offices) oppoſed, or diſcountenanced what they went about, they proceeded with the moſt extravagant ſeverity that had been ever heard of; of which I ſhall only mention two inſtances; the Firſt, of the Lord Mayor of *London*, Sr *Richard Gourney*, a Citizen of great Wealth, Reputation, and Integrity; whom the Lords had, upon the complaint of the Houſe of Commons, before their ſending the laſt Petition to the King (of which his Majeſty gave them a touch in his Anſwer) committed to the Tower of *London*: for cauſing the King's Proclamation againſt the Militia, by vertue of his Majeſty's Writ to him directed, and according to the known duty of his place, to be publickly Proclaim'd. And ſhortly after, that they might have a Man more compliant with their deſigns to govern the City, notwithſtanding that he inſiſted upon his Innocence, and made it appear that he was obliged by the Laws of the Land, the Cuſtoms, of the City, and the Conſtitution of his Office, and his Oath, to do whatſoever he had done: He was by their Lordſhips, in the preſence of the Commons, adjudged "To be put out of his Office of Lord Mayor "of *London*; to be utterly incapable of bearing Office in City

"or

" or Kingdom, and of all Honour or Dignity; and to be im-
" priſon'd, during the pleaſure of the two Houſes of Parlia-
" ment. And, upon this ſentence, Alderman *Pennington*, ſo often before mention'd, was, by the noiſe and clamour of the Common People, againſt the Cuſtoms and Rules of Election, made Mayor; and accordingly inſtalled; and the true, old, worthy Mayor committed to the Tower of *London*; where, with notable courage and conſtancy, he continu'd almoſt to his death.

THE other Inſtance, I think fit to mention, is that of Judge *Mallet*; who, as is before remember'd, was committed to the Tower laſt Lent, for having ſeen a Petition prepar'd by the grand Jury of *Kent*, for the Countenance of the Book of Common Prayer, and againſt the impoſition of the Militia by Ordinance without the Royal Aſſent. This Judge (being, this Summer Circuit, again Judge of Aſſize of thoſe Counties) ſitting at *Maidſtone* upon the great Aſſize, ſome Members of the Houſe of Commons, under the Style and Title of a Committee of Parliament, came to the Bench; and, producing ſome Votes, and Orders, and Declarations of one or both Houſes, " Re-
" quir'd him, in the name of the Parliament, to cauſe thoſe " Papers (being on the behalf of the Ordinance of the Militia, and againſt the Commiſſion of Array) " To be read. He told them, " That he ſat there by virtue of his Majeſty's Commiſſi-
" ons; and that he was authoriz'd to do any thing compriſed " in thoſe Commiſſions; but he had no Authority to do any " thing elſe; and therefore, there being no mention, in either " of his Commiſſions, of thoſe Papers, or the Publiſhing any " thing of that nature, he could not, nor would not do it; and ſo (finding leſs reſpect and ſubmiſſion, than they expected, both to their Perſons and their Buſineſs, from the Learned Judge, and that the whole County, at leaſt the prime Gentlemen and the Grand Jury, which repreſented the County, contemn'd both much more) this Committee return'd to the Houſe with great exclamations againſt Mr Juſtice *Mallet*, " As the Fo-
" menter and Protector of a Malignant Faction againſt the " Parliament. And, upon this Charge, a Troop of Horſe was " ſent to attend an Officer; who came with a Warrant from the Houſes, or ſome Committee (whereas Juſtice *Mallet*, being an Aſſiſtant of the Houſe of Peers, could not regularly be ſummon'd by any other Authority) to *Kingſton* in *Surrey*, where the Judge was keeping the general Aſſizes for that County; and, to the unſpeakable Diſhonour of the Publick Juſtice of the Kingdom, and the Scandal of all Miniſters or Lovers of Juſtice, in that violent manner took the Judge from the Bench, and carried him Priſoner to *Weſtminſter*; from whence, by the two Houſes, he was committed to the Tower of *London*; where he remain'd for the ſpace of above two years, without ever

ever being charg'd with any particular Crime, till he was redeem'd by his Majesty by the exchange of another, whose liberty they desir'd.

By these heighten'd Acts of Power and Terror, they quickly demonstrated, how unsecure it would be for any Man, at least not to concur with them. And, having a General, Arms, Money, and Men enough at their devotion, they easily form'd an Army, publickly disposing such Troops and Regiments, as had been raised for *Ireland*, and, at one time, one hundred thousand pounds of that Money, which, by Act of Parliament, had been paid for that purpose, towards the constituting that Army, which was to be led against their Lawful Soveraign. So that it was very evident, they would be in such an Equipage within few Weeks, both with a Train of Artillery, Horse and Foot, all taken, arm'd, furnish'd and supplied out of his Majesty's own Magazines and Stores, that they had not reason to fear any opposition. In the mean time, they declar'd, and publish'd to the People, "That they raised that Army, only "for the defence of the Parliament, the King's Person, and the "Religion, Liberty, and Laws of the Kingdom, and of those, "who, for Their sakes, and for those Ends, had obey'd their "Orders: That the King, by the instigation of evil Counsellors, had raised a great Army of Papists; by which he intended to awe, and destroy the Parliament; to introduce "Popery, and Tyranny: Of which intention, they said, his requiring *Hull*; his sending out Commissions of Array; bespeaking Arms and Ammunition beyond the Seas (there having been some brought to him by the Ship call'd the Providence) his declaring Sr *John Hotham* Traytor; and the putting out the Earl of *Northumberland* from being Lord High-Admiral of *England*; his removing the Earl of *Pembroke*, *Essex*, *Holland*, the Lord *Fielding*, and Sr *Henry Vane*, from their several Places and Imployments; were sufficient and ample evidences: And therefore, they conjur'd all Men, to assist their General, the Earl of *Essex*. And, for their better and more secret transaction of all such Counsels, as were necessary to be enter'd upon, or follow'd, they made a Committee, of some choice Members of either House, to intend the great business of the Kingdom with reference to the Army; who had Authority, without so much as communicating the matter to the House, to imprison Persons, seise upon their Estates; and many other Particulars, which the two Houses, in full Parliament, had not the least Regular, Legal, Justifiable Authority to do. And for the better encouragement of Men to ingage in the Service, the Lord *Kimbolton*, and the five Members of the House of Commons, formerly accused by his Majesty of High Treason, upon solemn Debate, had several Regiments confer'd on them; and, by their example, many other

other Members of both Houſes, ſome upon their lowneſs, and decayednes of their Fortunes, others to get name and reputation to be in the number of Reformers (amongſt whom they doubted not all Places of Honour, or Offices of profit, would be beſtow'd) moſt upon the confidence, that all would be ended without a Blow, by the King's want of power to gather ſtrength, deſir'd and obtain'd Command of Horſe or Foot; their Quality making amends for their want of experience, and their other defects; which were repair'd by many good Officers both *Engliſh*, and *Scots*; the late Troubles having brought many of that tribe to *London*, and the reputation of the Earl of *Eſſex* having drawn others, out of the Low-Countries, to engage in that Service. In the choice of which Officers, whilſt they accuſed the King of a purpoſe to bring a Forreign Force, and of entertaining Papiſts, they neither conſider'd Nation nor Religion; but entertain'd all Strangers, and Forreigners, of what Religion ſoever, who deſir'd to run their Fortune in the War.

On the other ſide, Preparations were not made with equal expedition, and ſucceſs by the King, towards a War: For, though he well underſtood, and diſcern'd, that he had nothing elſe to truſt to, he was to encounter ſtrange Difficulties to do that. He was ſo far from having Money to levy, or pay Soldiers, that he was, at this very time, compell'd for very real want, to let fall all the Tables kept by his Officers of State in Court, by which ſo many of all Qualities ſubſiſted; and the Prince, and Duke of *York*, eat with his Majeſty; which Table only was kept. And whoever knows the Conſtitution of a Court, well knows what indiſpoſitions naturally flow from thoſe declenſions; and how ill thoſe Tempers bear any diminution of their own Intereſts; and, being once indiſpoſed themſelves, how eaſily they infect others. And that which made the preſent want of Money the more intolerable, there was no viſible hope from whence ſupply could come, in any reaſonable time: And that which was a greater want than Money, which Men rather fear'd than found, there were no Arms; for, notwithſtanding the fame of the great Store of Ammunition, brought in by that Ship, it conſiſted only in truth of Canon, Powder, and Bullet, with eight hundred Muſquets, which was all the King's Magazine. So that the haſtning of Levies, which at that time was believ'd would not prove difficult, would be to little purpoſe, when they ſhould continue unarm'd. But that which troubled the King more than all theſe real incapacities of making War, was the temper and conſtitution of his own Party; which was compounded, for the moſt part, in Court, Council, and Country, of Men drawn to him by the impulſion of Conſcience, and abhorring the unjuſt and irregular proceedings of the Parliament; otherwiſe

wise unexperienced in Action, and unacquainted with the Mysteries, and necessary Policy of Government; severe observers of the Law, and as scrupulous in all matters relating to it, as the other pretended to be. All his Majesty's Ancient Counsellors, and Servants (except some few of lasting Honour, whom We shall have occasion often to mention) that they might redeem former oversights, or for other unworthy designs, being either publickly against him in *London*, or privately discrediting his Interest and Actions, in his own Court. These Men still urg'd "The execution of the Law; that what "extravagances soever the Parliament practised, the King's "observation of the Law would, in the end, suppress them all. And, indeed, believ'd the raising a War to be so wicked a thing, that they thought it impossible the Parliament should intend it, even when they knew what they were doing. However they concluded, "That he that was forwardest in the pre-"paring an Army, would be first odious to the People; by "the affections of whom, the other would be easily suppress.

THIS was the general receiv'd Doctrine; and though it appear'd plainly to others (of equal affection to the Publick Peace) how fatal those Conclusions, in that sense in which they were urged, must prove to the whole Kingdom; and how soon the King must be irrecoverably lost, if he proceeded not more vigorously in his defence; yet even those Men durst not, in any form'd and publick Debate, declare themselves; or speak that plain English the State of Affairs required; but satisfied themselves with speaking, what they thought necessary, to the King in private; by which means the King wanted those firm, and solid foundations of Counsel and Foresight, that were most necessary for his condition: So that he could neither impart the true motives, and grounds of any important Action, nor discover the utmost of his Designs. And so he still seem'd (notwithstanding the greatest, and avow'd preparations of the Enemy) to intend nothing of Hostility, but in order to the reducing of *Hull*; the benefit of which he hoped, would engage the Train'd-bands of that great County (which was the sole strength he yet drew thither) till he could bring other Forces thither, which might be fit for that, or any other Design.

BUT there was another Reason of his Majesty's going to, and staying at *Beverly*, than was understood; and, it may be, if it had been known, might have produc'd a better Effect; which I think necessary to insert in this place. The Lord *Digby*, whom we have mention'd before, in the first disorder, by which the King and Queen were driven from *London*, to have left *England*, and to be after unreasonably accused by the House of Commons of High Treason, had remain'd from that time in *Holland*; and, hearing the King's condition at

York

York, to be so much improved beyond what he left it at *Windsor*, had, with some Commands from the Queen, arriv'd there very privately, and stay'd some days in a disguise at *York*, revealing himself to very few Friends, and speaking with the King in so secret a manner in the night, that no notice was taken of his being there; and, finding the King's Affairs not in so good a posture as he expected, and conceiving it yet not fit for him to appear, resolv'd to return again to the Queen, and to hasten that provision of Arms and Ammunition, without which it was not possible for the King to resist any violence that threatn'd him; and so, in the same Bark which brought him over, he went again to Sea for *Holland*, with *Wilmot*, *Ashburnham*, *Pollard*, and *Berkley*; who purposely remov'd themselves from Court, upon the clamour of the Parliament, till the King was ready to use their Service. They were not many hours at Sea, when they met the *Providence* (which We mention'd before) with the Ammunition, which was only wanted; and, well knowing her, they agreed, "That *Wilmot* "*Pollard*, and *Berkley*, should return with the Ammunition to "the King; and *Digby*, and Coll. *Ashburnham*, should pursue "their former Intentions for *Holland*. But their Parties continued so long, that the Parliament Ships, who had watched and chased the *Providence*, came up to them; and though the Ship escaped, and run on shore, as was before mention'd, yet the Fly-boat, in which the Lord *Digby* was, could not so well get away; but was taken by them, and carried in with so much the more triumph into *Hull*, that they had been disappointed of their greater Prize. Coll. *Ashburnham*, though he was in great umbrage with the Parliament, and one of those Delinquents, whom they reproached the King with, was so well known to Sr *John Hotham*, with whom he stood in a good degree of familiarity, that he could not dissemble or conceil himself; but the Lord *Digby*, being in so real a disguise, that his neareſt friends would not easily have known him, pretended to be a *French*-man, whose Language he spoke excellently; and seem'd to be so Sea-sick, that he kept himself in the hole of the Bark, till they came to *Hull*; and, in that time, disposed of such Papers as were not fit to be perused; and when he came on Shore, so well counterfeited sickness, and want of health, that he easily procured himself to be sent, under a Guard, to some obscure corner for repose; whilst Coll. *Ashburnham*, who was the only Prisoner they thought worth the looking after, was carefully carried to the Governour; who receiv'd him with as much Civility, as he could reasonably expect.

The Lord Digby's transactions with Sr John Hotham &c. at Hull.

THE Lord *Digby*, being by himself, quickly consider'd the desperateness of his condition: "That it would not be "possible to conceal himself long, being so well known to many

" who were in the *Providence*, and the Garrison quickly know-
" ing whatsoever was spoken of in the Country: That he
" was, how unjustly or unreasonably soever, the most odious
" Man in the Kingdom to the Parliament; into whose hands if
" he should then come, his Life would be, at least in apparent
" hazard: and how to get himself out of that Labyrinth was
very difficult, since Sr *John Hotham* was so far from any incli-
nation of kindness towards him, as he had own'd to Coll. *Ash-
burnham*, that he was in the number of his most notorious
Enemies. However, in this eminent extremity (as he is a Man
of the greatest presence of mind, and the least appalled upon
danger, that I have known) he resolved not to give himself
over; and found means to make one of his Guard, in broken
English, which might well have become any *French* man, un-
derstand, " That he desired to speak privately with the Gover-
" nour; and that he would discover some Secrets of the King's,
" and Queens to him, that would highly advance the Service
" of the Parliament. The fellow made haste to let the Gover-
nour know these good tidings; who understanding *French*
well, as speedily sent for the *French*-man, who was brought
before him in the presence of much company, and, without
any disorder, gave such an account of himself, as they under-
stood him to have seen much of the *French* Service (of which
he spoke very fluently) and to have come over recommended
to the King for some Command, if he should have occasion to
use Soldiers; as, he said, People abroad conceiv'd him likely
to have. After he had entertain'd the company with such dis-
course, there being present some Gentlemen, who came late-
ly out of *France*, and so being the more curious to administer
questions, he applied himself to the Governour; and told him,
" that if he might be admitted to privacy with him, he would
" discover somewhat to him, which he would not repent to
" have known. The Governour who was a Man apt enough
to fear his own safety, but more apprehensive of the Jea-
lousies which would attend him (for his eldest Son, and some
others, were more absolutely confided in by the Parliament
than himself, and were in truth but Spies over him) would
not venture himself in another Room; but drew him to a
great Window at a convenient distance from the company,
and wished him " To say what he thought fit. The Lord *Digby*,
finding he could not obtain more privacy, asked him, in *En-
glish*, " Whether he knew him? the other, surprised, told him,
" *No*; Then, said he, I shall try whether I know Sr *John Ho-*
" *tham*; and whether he be in truth, the same Man of Ho-
" nour, I have always taken him to be: And, thereupon, told
him who he was; and " That he hoped he was too much a Gen-
" tleman to deliver him up a sacrifice to their rage and fury,
" who,

"who, he well knew, were his implacable Enemies. The other, being aſtoniſh'd, and fearing that the By-ſtanders would diſcover him too (for, being now told who he was, he wonder'd he found it not out Himſelf) he deſir'd him "To ſay no "more for the preſent; that he ſhould not be ſorry for the "truſt he repoſed in him, and ſhould find him the ſame Man "he had thought him; That he would find ſome time, as ſoon "as conveniently he might, to have more conference with "him. In the mean time, that he ſhould content himſelf with "the ill accommodation he had, the amendment whereof "would beget ſuſpicion: and ſo he called the Guard, inſtant-"ly to carry him away, and to have a very ſtrict Eye upon "him; and, turning to the Company, and being conſcious to himſelf of the Trouble and Diſorder in his Countenance, told them, "That the *French*-man was a ſhrewd Fellow, and under-"ſtood more of the Queen's Counſels and Deſigns, than a Man "would ſuſpect: That he had told him that which the Par-"liament would be glad to know; to whom preſently he "would make a diſpatch, though he had not yet ſo clear in-"formations, as, he preſum'd, he ſhould have after two or "three days: And ſo departed to his Chamber.

IT was a wonderful influence, that this Noble Perſon's Stars (which uſed to lead him into, and out of the greateſt perplexities and dangers, throughout the whole courſe of his Life) had upon this whole Affair. *Hotham* was, by his nature, and education, a rough and a rude Man; of great covetouſneſs, of great pride, and great ambition; without any Bowels of good nature, or the leaſt ſenſe or touch of generoſity; his parts were not quick and ſharp, but compoſed, and he judged well; he was a Man of craft, and more like to deceive, than to be couzen'd: Yet, after all this, this young Noble Man, known, and abhorr'd by him, for his admirable faculty of Diſſimulation, had ſo far prevail'd, and impoſed upon his ſpirit, that he reſolv'd to Practice that Virtue, which the other had Imputed to him, and not to ſuffer him to fall into the hands of his Enemies. He ſent for him, the next day, at an hour when he was more vacant from attendants, and obſervers; and, at firſt, told him his reſolution; "That, ſince he had ſo frankly "put himſelf into his hands, he would not deceive his Truſt; and wiſh'd him "To conſider, in what way, and by what co-"lour, he ſhould ſo ſet him at Liberty, that he might, without "any other danger, arrive at the place where he would be; "For, he ſaid, he would not truſt any Perſon living with the "Secret, and leaſt of all his Son; whom he mention'd with all the bitterneſs imaginable, "As a Man of an ill nature, and "furiouſly addicted to the worſt deſigns the Parliament had, "or could have; and One that was more depended upon by

"them than Himself, and sent thither only as a Spy upon him. From hence he enter'd upon the discourse "Of the times, and "mischief that was like to befall the whole Kingdom, from the "difference between the King and the Parliament. Then lamented his own Fate, "That, being a Man of very different "Principles from those who drove things to this extremity, "and of entire affection and duty to the King, he should now "be look'd upon as the chief ground, and cause of the Civil "War which was to ensue, by his not opening the Ports, "when the King would have enter'd into the Town: Of which business, and of all the circumstances attending it, he spake at large; and avow'd, "That the information sent him of the "King's purpose presently to hang him, was the true cause of "his having proceeded in that manner.

THE Lord *Digby*, who knew well enough how to cultivate every period of such a Discourse, and how to work upon those Passions which were most predominant in him, joyn'd with him in the sense of the Calamities, which were like to befall the Nation; which he bewail'd Pathetically; and, "That it "should be in the power of a handful of ill Men, corrupted "in their Affections to the King, and against Monarchy it "self, to be able to involve him, and many others of his clear "intentions, in their dark Counsels, and to engage them to "prosecute ends which they abhorr'd, and which must determine in the ruine of all the undertakers. For, he told him, "that the King, in a short time, would reduce all his Enemies: That the hearts of the People were already, in all "places, aliened from them; and that the Fleet was so much "at the King's disposal, that, as soon as they should receive his "Orders, they would appear in any place he appointed: That "all the Princes in *Christendom* were concern'd in the quarrel, "and would engage in it, as soon as they should be invited to "it: And that the Prince of *Orange* was resolv'd to come over "in the head of his Army, and would take *Hull* in three days. All which ought, reasonably, to have been true in the Practick, though it had very little ground in the Speculation. And when he had, by degrees, amused and terrified him with this discourse, he enlarged upon "The Honour and Glory, that Man "would have, who could be so blessed, as to prevent this terrible Confusion, that was in view: That King and People "would joyn in rewarding him with Honours, and Preferments of all kind; and that his Name would be derived to "Posterity, as the Preserver of his Country. He told him, "He was that Man, that could do all this; that, by delivering "up *Hull* to the King, he might extinguish the War; and that "immediately a Peace would be establish'd throughout the "Kingdom: That the world believ'd, that he had some cre-

"dit

" dit both with the King, and Queen; that he would imploy " it all in his Service; and if he would give him this rise to be- " gin upon, he should find, that he would be much more solli- " citous for his Greatness, and a full recompence for his Merit, " then he was now for his own safety. All these Advertise- ments, and Reflections, were the subject of more than one dis- course; for Sr *John Hotham* could not bear the variety, and burden of all those thoughts together; but within two days all things were adjusted between them. *Hotham* said, " It " would not become him, after such a refusal, to put the Town " into the King's hands; nor could he undertake (if he re- " solv'd) to effect it; the Town it self being in no degree af- " fected to his Majesty's Service; and the Tran'd-bands, of " which the Garrison wholly consisted, were under Officers " upon whom he could not depend. But, he said, If the King " would come before the Town, though but with one Regi- " ment, and plant his Cannon against it, and make but one " shot, he should think he had discharged his Trust to the Par- " liament, as far as he ought to do; and that he would imme- " diately then deliver up the Town; which he made no doubt " but that he should be then able to do. And, on this errand, he was contented the Lord *Digby* should go to the King, and be conducted out of the Town beyond the limits of danger; the Governour having told those Officers he trusted most, that " He would send the *French*-man to *York*; who, he was well " assured, would return to him again. He gave him likewise a note to a Widow, who liv'd in that City, at whose House he might Lodge, and by whose hands he might transmit any Letters to him.

When he came to *York*, and after he had spoke with the King, it was resolv'd, he should appear in his own likeness, and wait upon the King in Publick, that it might be believ'd, that he had Transported himself from *Holland* in the Ship that brought the Ammunition; which was hardly yet come to *York*, it being now about the time that Mr *Villiers*, and Sr *John Pennington* had been sent away, and before the news came of their ill Success. This was the cause of the sudden March towards *Hull*, before there was a Souldier levied to make an Assault, or maintain a Siege; which was so much wonder'd at then, and so much censur'd afterwards. For assoon as his Majesty re- ceiv'd this assurance, which he had so much reason to depend upon, by the treatment the Lord *Digby* had receiv'd, he de- clared, " He would, upon such a day, go to *Beverly*, a place within four Miles of *Hull*; and appointed three or four Regi- ments of the Country, under the Command of such Gentle- men whose Affection was unquestionable, to march thither, as a Guard to his Person; and likewise sent a little Train of Ar-

tillery, which might be ready for the Summons. When his Majesty was ready with this Equipage for his March, the Lord *Digby* return'd again in his old disguise to *Hull*, to make sure that all things there might correspond with the former obligation. Assoon as the King, and the whole Court (for none remain'd at *York*) came to *Beverly* (where they were all accommodated, which kept them from being quickly weary) and the Train'd-bands were likewise come thither, the General, the Earl of *Lindsey*, first took possession of his Office; a little troubled, and out of countenance, that he should appear the General without an Army; and be engaged in an Enterprize, which he could not imagine would succeed. His Majesty order'd him to send out some Officers, of which there was a good store, to take a view of the Town, and of such advantage ground, within distance, upon which he might raise a Battery; as if he meant on a suddain to Assault the place; which appear'd no unreasonable design, if there were a good Party in the Town to depend upon. And yet the General had no opinion, that his Army of Train'd-bands would frankly expose themselves to such an Attack: Besides a great number of Officers, and Persons of Quality, who were all well Horsed, and had many Servants as well provided, the King had his Troop of Guards so constituted, as hath been said before; and there were few Horse in *Hull*, and those without Officers who understood that kind of Service. So that it was no hard matter to take a very full view of the Town, by Riding to the very Ports; and about the Walls; nor, at first appearance, was there any shew of Hostility from the Town upon their neerest approaches to it; but after they had made that visit two or three days together, they observ'd that the Walls were better Mann'd, and that there was every day an increase of labourers repairing the Works; and then they begun to Shoot, when any went within distance of the Works.

Whereupon the King goes to Beverly with design upon Hull, but in vain.

All this while Sr *John Hotham* had tryed some of his Officers, in whose particular Affection he had most Confidence, how far they were like to be govern'd by him; and found them of a temper not to be rely'd upon. His Son was grown jealous of some design, and was Caballing with those who were most notorious for their disaffection to the Government; and new Officers were sent down, by the Parliament, to assist in the defence of the Town, which, they thought, might probably be attempted; and supplies of Men had been taken in from the Ships, and had been sent thither from *Boston*, a Town upon the same Coast, of eminent Disloyalty. So that, when the Lord *Digby* return'd thither, he found a great Damp upon the spirit of the Governour, and a sadness of mind, that he had proceeded so far; of which his Lordship made all the haste

he

he could to advertiſe the King; but his Letters muſt firſt be ſent to *York* before they could come to *Beverly*; and, when they were receiv'd, they contain'd ſtill ſomewhat of hope, "That he ſhould be able to reſtore him to his former Courage, "and confirm his Reſolution: So that the King ſeem'd to defer any attempt, upon the hopes of the Earl of *Holland*'s Meſſage before mention'd, and, in the end, he was compell'd to give over the deſign, all hope from the Governour growing deſperate; whether from his want of Courage, or want of Power to execute what he deſir'd, remains ſtill uncertain. When Sr *John Hotham* gave over further thoughts of it, he diſmiſſed both the Lord *Digby* and Coll. *Aſhburnham*, whom he had likewiſe detain'd till then, as a Man of uſe in the execution of the deſign, with many profeſſions of Duty to the King; and as the concealing thoſe two Perſons, and afterwards releaſing them, immediately increaſed the jealouſy of the Parliament againſt him, ſo it was the Principal Cauſe, afterwards, of the loſs of his Head.

THE King diſmiſſed the Train'd-bands, and return'd with his Court to *York*, in ſo much leſs Credit than when he came from thence, as the entring into a War without Power, or Preparation to proſecute it, was like to produce. The inconvenience was the greater, becauſe the principal Perſons of Quality, of Court or Country, and the Officers had the leſs reverence for the King's Conduct, by ſeeing ſuch an Action enter'd upon with ſo little Reaſon, proſecuted ſo perfunctorily: All which reproaches his Majeſty thought fitter to bear, than to diſcover the Motives of his Journey; which were then known to few, nor, to this day, have been publiſhed.

WHEN the King return'd to *York*, exceedingly troubled at the late March he had made, and all Men expreſſing great impatience to be in Action, very many Perſons of Honour and Quality, having attended long at Court, believing they might be more uſeful to his Majeſty's Service in their own Countries, in reſtraining the diſaffected from any Seditious Attempts, and diſpoſing the People in general to be conſtant in their Loyalty, an Accident fell out, that made it abſolutely neceſſary for the King to declare the War, and to enter upon it, before he was in any degree ripe for Action; which was, that *Portſmouth* had declar'd for the King, and refuſed to ſubmit to the Parliament; which had thereupon ſent an Army under the Command of Sr *William Waller*, to reduce it. The relating how this came to paſs, requires a large diſcourſe, and will adminiſter much variety, not without ſomewhat of pleaſure and wonder, from the temper and ſpirit of the Perſon who conducted that Action; if it can be ſaid to be conducted without any Conduct.

Coll. Goring *at* Portſmouth, *declares for the King.*

WE have remember'd before, in the laſt Year, the diſcourſe

of the bringing up the Army to *London* to awe the Parliament, and the unſpeakable diſhonour, and damage the King ſuſtain'd by that diſcourſe, how groundleſs ſoever it was; all which was imputed to Coll. *Goring*, who, by that means, grew into great Reputation with the Parliament, as a Man ſo irrecoverably loſt at Court, that he would joyn with them in the moſt deſperate deſigns; yet he carried himſelf with ſo great dexterity, that, within few Months, he wrought upon the King and Queen to believe, that he ſo much repented that Fault, that he would redeem it by any Service; and to truſt him to that degree, that the Queen, once, reſolv'd, when the Tumults drove their Majeſties firſt from *London*, for her ſecurity, to put her ſelf into *Portſmouth*, which was under his Government; whilſt his Majeſty betook himſelf to the Northern parts; which deſign was no ſooner over (if not before) than he, again, intimated ſo much of it to the Lord *Kimbolton*, and that Party, that they took all the Truſt he had from Court, to proceed from the Confidence their Majeſties had of his Father's intereſt in him; whoſe Affection and Zeal to their Service was ever moſt indubitable: but aſſured themſelves, He was their own, even againſt his own Father. So that he carried the matter ſo, that, at the ſame time, he received 3000l from the Queen (which ſhe raiſed by the ſale of her Plate, and ſome Jewels) to Fortify, and Victual, and Reinforce his Garriſon, againſt the time it ſhould be neceſſary to declare for the King; and a good ſupply from the Parliament, for the payment of the Garriſon, that it might be kept the better devoted to Them, and to Their Service. All which he perform'd with that admirable diſſimulation, and rare confidence, that, when the Houſe of Commons was inform'd by a Member, whoſe Zeal and Affection to them was as much valued as any Man's, "That all his correſpondence in the County was "with the moſt Malignant Perſons; that of thoſe, many frequently reſorted to, and continued with him in the Garri-"ſon; that he was Fortifying, and raiſing of Batteries towards "the Land: And that, in his diſcourſe, eſpecially in the ſea-"ſons of his good Fellowſhip, he uſed to utter threats againſt "the Parliament, and ſharp cenſures of their Proceedings, and upon ſuch Informations (the Author whereof was well known to them, and of great Reputation; and liv'd ſo near *Portſmouth*, that he could not be miſtaken, in the matter of fact) the Houſe ſent for him, moſt thinking he would refuſe to come; Colonel *Goring* came upon the Summons, with that undauntedneſs, that all clouds of diſtruſt immediately vaniſhed, inſomuch as no Man preſum'd to whiſper the leaſt jealouſy of him; which he obſerving, came to the Houſe of Commons, of which he was a Member; and having ſate a day or two patiently,

tiently, as if he expected some Charge, in the end he stood up, with a Countenance full of Modesty, and yet not without a mixture of Anger (as he could help himself with all the insinuations of doubt, or fear, or shame, or simplicity in his face, that might gain belief, to a greater degree than I ever saw any Man; and could seem the most confounded when he was best prepar'd, and the most out of Countenance when he was best resolv'd, and to want words, and the habit of speaking, when they flow'd from no Man with greater power) and told them, "That he had been sent for by them, upon some "information given against him, and that, though he believ'd, "the Charge being so ridiculous, they might have receiv'd, "by their own particular inquiry, satisfaction; yet the dis-"courses that had been used, and his being sent for in that "manner, had begot some Prejudice to him in his Reputation; "which if he could not preserve, he should be less able to do "Them Service; and therefore desired, that he might have "leave (though very unskilful, and unfit to speak, in so Wise "and Judicious an Assembly) to present to them the state and "condition of that Place under his Command; and then he "doubted not but to give them full satisfaction in those par-"ticulars, which, possibly, had made some impression in them "to his disadvantage: That he was far from taking it ill from "those, who had given any information against him; for, "what he had done, and must do, might give some Umbrage "to well affected Persons, who knew not the grounds and "reasons, that induced him so to do; but that if any such Per-"son would, at any time, resort to him, he would clearly in-"form them of whatever Motives he had; and would be glad "of their Advice, and Assistance for the better doing thereof. Then he took notice of every particular that had been publickly said against him, or privately whisper'd, and gave such plausible Answers to the whole, intermingling sharp Taunts, and Scorns, to what had been said of him, with pretty application of himself, and flattery to the Men that spake it: Concluding, "That they well knew, in what esteem he stood with "others: so that if, by his ill Carriage, he should forfeit the "good opinion of that House, upon which he only depended, "and to whose Service he entirely devoted himself, he were "madder than his Friends took him to be, and must be as un-"pitied in any misery, that could befall him, as his Enemies "would be glad to see him. With which, as innocently and unaffectedly utter'd, as can be imagin'd, he got so general an Applause from the whole House, that, not without some little Apology for troubling him, "They desir'd him again to repair "to his Government, and to finish those Works, which were "necessary for the safety of the Place; and gratified him with

consenting

conſenting to all the Propoſitions, he made in the behalf of his Garriſon, and paid him a good Sum of Money for their Arrears; with which, and being privately aſſured (which was indeed reſolv'd on) that he ſhould be Lieutenant General of their Horſe in their new Army, when it ſhould be form'd, he departed again to *Portſmouth*; in the mean time, aſſuring his Majeſty by thoſe who were truſted between them, "That he "would be ſpeedily in a Poſture to make any ſuch Declaration "for his Service, as he ſhould be requir'd; which he was forced to do ſooner than he was provided for it, though not ſooner than he had reaſon to expect.

WHEN the Levies for the Parliament Army were in good forwardneſs, and that Lord had receiv'd his Commiſſion for Lieutenant General of the Horſe, he wrote to the Lord *Kimbolton*, who was his moſt boſom Friend, and a Man very powerful, deſiring, "That he might not be call'd to give his "attendance upon the Army, till it was ready to march; be-"cauſe there were ſo many things to be done, and perfected, "for the ſafety of that important Place, that he was deſirous to "be preſent Himſelf at the work as long as was poſſible. In "the mean time, he had given directions to his Agent in *Lon-*"*don*, to prepare all things for his Equipage; ſo that he would "be ready to appear, at any Rendezvous, upon a days warn-"ing. Though the Earl of *Eſſex* did much deſire his Company, and aſſiſtance in the Council of War, and preparing the Articles, and forming the Diſcipline for the Army, he having been more lately verſed in the Order and Rule of Marches, and the Proviſions neceſſary, or convenient thereunto, than any Man then in their Service, and of greater Command than any Man but the General; yet the Lord *Kimbolton* prevail'd, that he might not be ſent for, till things were riper for Action. And, when that Lord did afterwards write to him, "That it "was time he ſhould come away, he ſent ſuch new, and rea-ſonable excuſes, that they were not unſatisfied with his de-lay; till he had multiplied thoſe excuſes ſo long, that they begun to ſuſpect; and they no ſooner inclined to ſuſpicion, but they met with abundant Arguments to cheriſh it. His be-haviour and courſe of Life was very notorious to all the Neigh-bours, nor was he at all reſerv'd in his Mirth, and publick Diſcourſes, to conceal his opinion of the Parliament, and their Proceedings. So that, at laſt, the Lord *Kimbolton* writ plainly to him, "That he could no longer excuſe his abſence "from the Army, where he was much wanted; and that, if "he did not come to *London* by ſuch a ſhort day, as he named, "he found his Integrity would be doubted; and that many "things were laid to his Charge, of which he doubted not "his Innocence; and therefore conjured him, immediately,

"to

"to be at *Weſtminſter*; it being now to be no longer deferr'd, "or put off. He writ a jolly Letter to that Lord, "That, the "truth was, his Council adviſed him, that the Parliament did "many things which were illegal; and that he might incur "much danger by obeying all their Orders; that he had re- "ceived the Command of that Garriſon from the King; and "that he durſt not be abſent from it, without His leave: And concluded with ſome good Counſel to the Lord.

THIS Declaration of the Governour of a Place, which had the reputation of being the only Place of ſtrength in *England*, and ſituated upon the Sea, put them into many apprehenſions; and they loſt no time in endeavouring to reduce it; but, upon the firſt underſtanding his Reſolution, Sr *William Waller* was ſent with a good part of the Army, ſo to block it up, that neither Men, nor Proviſion, might be able to get in; and ſome Ships were ſent from the Fleet, to prevent any relief by Sea: and theſe Advertiſements came to the King, aſſoon as he return'd to *York*.

IT gave no ſmall Reputation to his Majeſty's Affairs, when there was ſo great a damp upon the ſpirits of Men, from the miſadventures at *Beverly*, that ſo notable a Place as *Portſmouth* had declared for him, in the very beginning of the War; and that ſo good an Officer as *Goring*, was return'd to his Duty, and in the poſſeſſion of the Town: and the King, who was not ſurpriſed with the matter, knowing well the Reſolution of the Colonel, made no doubt, but that he was very well ſupplied with all things, as he might well have been, to have given the Rebels work for three, or four Months, at the leaſt. Whereupon, he forthwith publiſh'd a Declaration, that had been long ready, in which he recapitulated all the Inſolent, and Rebellious Actions the two Houſes had committed againſt him: and declared them "To be guilty; and "forbid all his Subjects to yield any obedience to them: And, at the ſame time, publiſhed his Proclamation; by which, he "Required all Men, who could bear Arms, to repair to him "at *Nottingham*, by the 25th of *Auguſt* following; on which "day, he would ſet up his Royal Standard there, which all "good Subjects were obliged to attend. At the ſame time, he ſent the Marquis of *Hertford* to raiſe Forces in the Weſt, or, at leaſt, to reſtrain thoſe parts (where His Intereſt, and Reputation was greater than any Man's) within the limits of their Duty to the King, and from being corrupted, or perverted by the Parliament; and with him went the Lord *Seymour*, his Brother; the Lord *Pawlet*, *Hopton*, *Stawel*, *Coventry*, *Berkely*, *Windham*, and ſome other Gentlemen, of the prime Quality, and Intereſt in the Weſtern parts; who were like to give as good examples in their Perſons, and to be follow'd by

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as many Men, as any such Number of Gentlemen in *England*, could be. And from this Party, enliven'd by the Power, and Reputation of the Marquis, the King was in hopes, that *Portsmouth* would be shortly relieved, and made the head Quarter to a good Army. When all this was done, he did all that was possible to be done, without Money, to hasten his Levies of Horse and Foot, and to prepare a light Train of Artillery; that he might appear at *Nottingham*, at the day when the Standard was to be set up, with such a Body of Men, as might be, at the least a competent Guard to his Person.

MANY were then of opinion, "That it had been more for "his Majesty's Benefit and Service, if the Standard had been "appointed to be set up at *York*; and so that the King had "stay'd there, without moving further South, until he could "have marched in the Head of an Army, and not to depend "upon gathering an Army up in his March. All the Northern "Counties were, at present, most at his devotion; and so it "would be most easy to raise Men there: *New-Castle* was "the only Port in his obedience, and whither he had appoint-"ed his Supplies of Arms, and Ammunition to be sent; of "which he had so present need, that all his Magazine, which "was brought in the *Providence*, was already distributed to "those few Gentlemen, who had received Commissions, and "were most like speedily to raise their Regiments; and it would "be a very long, and might prove a very dangerous passage "to get the supplies, which were daily expected, to be brought "with security from *New-Castle*, when the King should be "advanced so many days Journey beyond *York*. All which were very important Considerations, and ought to have prevailed; but the King's inclinations to be nearer *London*, and the expectation he had of great effects from *Portsmouth*, and the West, disposed him to a willingness to prefer *Nottingham*; but that which determin'd the Point, was an apparent, and manifest aversion in the *York-shire* Gentlemen, whose affections were least suspected, that his Majesty should continue, and remain at *York*; "Which, they said, the People apprehended, "would inevitably make that Country the seat of the War: unskilfully imagining, that the War would be no where, but where the King's Army was; and therefore they facilitated all things, which might contribute to his remove from thence; undertook, to provide Convoys for any Arms and Ammunition from *New-Castle*; to hasten the Levies in their own Country; and to borrow the Arms of some of the Train'd-bands; which was the best expedient, that could be found out, to Arm the King's Troops, and had it's reverse in the murmurs it produced, and in leaving the best affected Men, by being disarm'd, at the Mercy of their Enemies; who care-

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fully kept their Weapons, that they might be ready to fight againſt the King. This cauſed the reſolution to be taken for *Nottingham*, without enough weighing the objections, which, upon the Entrance into great Actions, cannot be too much deliberated, though, in the Execution, they were beſt ſhut out. And it quickly appear'd in thoſe very Men, who prevail'd moſt in that Council; for, when the time drew on, in which his Majeſty was to depart, and leave the Country, Then they remember'd, "That the Garriſon of *Hull* would be left as a "thorn in their ſides, where there were well form'd, and "active Troops, which might march over the Country with- "out control, and come into *York* it ſelf without reſiſtance: "That there were many diſaffected Perſons of Quality, and "Intereſt in the Country, who, as ſoon as the King ſhould be "gone, would appear amongſt their Neighbours, and find a "concurrence from them in their worſt deſigns; and that there "were ſome places, ſome whole Corporations, ſo notoriouſly "diſaffected, eſpecially in matters relating to the Church, "that they wanted only Conductors to carry them into Re- "bellion.

THESE, and the like reflections, made too late impreſſions upon them; and Now, too much, they magnified this Man's power, whom before they contemn'd; and doubted that Man's Affection, of which they were before ſecure; and made a thouſand Propoſitions to the King this day, whereof they rejected the greateſt part to morrow; and, as the day approached nearer for the King's departure, their apprehenſions and irreſolutions increaſed. In the end, they were united in two Requeſts to the King; that, "He would commit the ſupreme "Command of the Country, with reference to all Military Af- "fairs, to the Earl of *Cumberland*; and qualify him, with an "ample Commiſſion, to that purpoſe. The other, "That his "Majeſty would command S^r *Thomas Glemham* to remain "with them, to govern and command ſuch Forces, as the Earl "of *Cumberland* ſhould find neceſſary for their defence. And this Proviſion being made by the King, they obliged themſelves to concur in making any preparations, and forming any Forces the Earl ſhould require. His Majeſty, as willingly, gratified them in both their deſires. The Earl of *Cumberland* was a Man of great Honour and Integrity, who had all his Eſtate in that Country, and had lived moſt amongſt them, with very much acceptation, and affection from the Gentlemen, and the Common People: but he was not, in any degree, active, or of a Martial temper; and rather a Man more like not to have any Enemies, than to oblige any to be firmly, and reſolutely his Friends, or to purſue his Intereſt: The great Fortune of the Family was divided, and the greater part of it carried away by

by an Heir Female; and his Father had so wasted the remainder, that the Earl could not live with that lustre, nor draw so great a dependence upon him, as his Ancestors had done. In a word, he was a Man of Honour, and Popular enough in Peace, but not endued with those parts which were necessary for such a Season. Sr *Thomas Glemham* was a Gentleman of a noble Extraction, and a fair Fortune, though he had much impaired it; he had spent many years, in Armies, beyond the Seas; and he had been an Officer of very good esteem in the King's Armies, and of Courage, and Integrity unquestionable; but he was not of so stirring and active a nature, as to be able to infuse Fire enough into the Flegmatick constitutions of that People, who did rather wish to be Spectators of the War, than Parties in it; and believ'd, if they did not provoke the other Party, they might all live quietly together; until Sr *John Hotham*, by his excursions, and depredations out of *Hull*, and their seditious Neighbours, by their Insurrections, awaken'd them out of that Pleasant Dream. And then the greatest part of the Gentry of that Populous Country, and very many of the Common People, did behave themselves with signal Fidelity, and Courage in the King's Service: Of all which Particulars, which deserve well to be remember'd, and transmitted to Posterity, there will be occasion to make mention, in the following Discourse.

YET I cannot leave *York* without the mention of one Particular; which, in truth, is a lively Instance of the Spirit and Temper of that time, and was a sad Presage of all the misfortunes which follow'd. There were very few Gentlemen, or Men of any Quality, in that large County, who were actively or factiously disaffected to his Majesty; and of those the Lord *Fairfax*, and his Son, Sr *Thomas Fairfax*, were the chief; who were govern'd by two or three, of inferiour Quality, more conversant with the People; who were as well known as They. All these were in the County, at their Houses, within few miles of *York*; and the King resolved, at his going away, to have taken them all Prisoners, and to have put them in safe Custody; by which, it was very probable, those mischiefs, that shortly after broke out, might have been prevented. But the Gentlemen of the County, who were met together to consult for their own security, hearing of this Design, besought his Majesty "Not to do it; alledging, "That he would, there-"by, leave them in a worse condition, by an Act so ungracious, and unpopular; and that the disaffected would be so "far from being weaken'd, that their Party would be increased "thereby; many really believing, that neither Father nor Son were transported with over-vehement inclinations to the Parliament; but would willingly sit still, without being Active

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on either ſide; which no doubt, was a Policy, that many of thoſe, who wiſhed well, deſired and intended to be ſafe by. And ſo his Majeſty left *York*, taking with him only two or three of inferior rank (whereof one *Stapleton* was one) who were known to have been very active in ſtirring the People to Sedition; and yet upon ſome ſpecious pretences, ſome very good Men were perſwaded, within few days, to procure the Liberty and Enlargment even of thoſe from his Majeſty. So tickliſh were thoſe times, and ſo wary were all Men to adviſe, the King ſhould do any thing, which upon the ſtricteſt inquiſition, might ſeem to ſwerve from the ſtrict rule of the Law; believing, unreaſonably, that the ſofteſt and gentlieſt Remedies might be moſt wholeſomely applied to thoſe rough, and violent Diſeaſes.

THE King came to *Nottingham* two or three days before the day he had appointed to ſet up the Standard; having taken *Lincoln* in his way, and drawn ſome Arms from the Train'd-bands of that Country with him to *Nottingham*; from whence, the next day, he went to take a view of his Horſe; whereof there were ſeveral Troops well arm'd, and under good Officers, to the number of ſeven or eight hundred Men; with which, being inform'd, "That there were ſome Regi-"ments of Foot marching towards *Coventry*, by the Earl of "*Eſſex* his Orders, he made haſte thither; making little doubt, but that he ſhould be able to get thither before them, and ſo to poſſeſs himſelf of that City; and he did get thither the day before they came; but found, not only the Gates ſhut againſt him, but ſome of his Servants ſhot, and wounded from the Walls: Nor could all his Meſſages, and Summons prevail with the Mayor and Magiſtrates, before there was any Garriſon there, to ſuffer the King to enter into the City. So great an Intereſt, and Reputation the Parliament had gotten over the Affections of that People, whoſe hearts were alienated from any reverence to the Government.

THE King could not remedy the Affront, but went that night to *Stonely*, the Houſe then of Sr *Thomas Lee*; where he was well receiv'd; and, the next day, his Body of Horſe, having a clear view, upon an open Campania, for five or ſix miles together, of the Enemies ſmall Body of Foot, which conſiſted not of above twelve hundred Men with one Troop of Horſe, which Marched with them over that plain, retired before them, without giving them one Charge; which was imputed to the ill conduct of *Wilmot*, who Commanded; and had a colder Courage, than many who were under him, and who were of opinion, that they might have eaſily defeated that Body of Foot: Which would have been a very ſeaſonable Victory; would have put *Coventry* unqueſtionably into the

the King's hands, and sent him with a good Omen to the setting up of his Standard. Whereas, that unhappy Retreat, which looked like a Defeat, and the Rebellious behaviour of *Coventry*, made his Majesty's return to *Nottingham* very Melancholy; whither he return'd the very day the Standard was appointed to be set up.

The King's Standard set up at Nottingham, Aug. 25. 1642.

ACCORDING to the Proclamation, upon the twenty fifth day of *August*, the Standard was erected, about six of the Clock in the evening of a very stormy, and tempestuous day. The King himself, with a small train, rode to the top of the *Castle* Hill, *Varney* the Knight-Marshal, who was Standard Bearer, carrying the Standard, which was then erected, in that place, with little other Ceremony than the sound of Drums, and Trumpets: Melancholy Men observ'd many ill Presages about that time. There was not one Regiment of Foot yet brought thither, so that the Train'd-bands, which the Sheriff had drawn together, were all the strength the King had for his Person, and the Guard of the Standard. There appear'd no Conflux of Men in obedience to the Proclamation; the Arms, and Ammunition were not yet come from *York*, and a General Sadness cover'd the whole Town. The Standard was blown down, the same night it had been set up, by a very strong and unruly wind, and could not be fixed again in a day or two, till the tempest was allayed. This was the Melancholy State of the King's Affairs, when the Standard was set up.

THE END OF THE FIFTH BOOK.